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BIOGRAPHICAL SKETCH

OF

HON. MUSCOE RUSSELL
HUNTER GARNETT,

(1821-1864)

OF

"ELMWOOD," ESSEX CO., VA.,

BY

JAMES MERCER GARNETT,

*Member of American Historical Association and of Maryland
Historical Society, and Ex-Member of Virginia
Historical Society.*

*Reprint from July and October Numbers (1909)
of William and Mary College
Quarterly Magazine.*





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BIOGRAPHICAL SKETCH
OF
Hon. Muscoe Russell Hunter Garnett,
OF ESSEX COUNTY, VIRGINIA.
(1821-1864)

This brief sketch will serve to introduce to the present generation, and to bring before his contemporaries, few of whom are now living, the memory of one of the younger statesmen of Virginia, who flourished fifty years ago and brilliantly adorned the annals of the Commonwealth. He was universally regarded as one of the most intellectual, and one of the most highly educated, young men, especially in his knowledge of history and literature, and political science, that this State has ever produced. He was cut off by disease in the vigor of his young manhood, but not before he had made a name for himself, and had already taken a high stand in political life, which bade fair to honor him with the highest honors that the Commonwealth could bestow. The position that he had already attained at forty years of age was but an earnest of what the future had in store for him.

MUSCOE RUSSELL HUNTER GARNETT was born on July 25th, 1821, the son of James Mercer Garnett, Jr., and Maria Hunter. His father was the eldest son of the Hon. James Mercer Garnett, of Einwood, Essex county, Virginia, and his first cousin, Mary Eleanor Dick Mercer, daughter of Judge James Mercer, of the Virginia Court of Appeals (see *William and Mary College QUARTERLY*, XVII., 2 and 3, October, 1908, and January, 1909). His grandfather Garnett had served in the State Legislature, and in the United States Congress for two terms (1805-1809), when he declined a renomination; and he afterwards served in that noted Constitutional Convention of 1829-30, which has been called the most distinguished body of men that ever assembled on the soil of Virginia, of which

President Monroe was the president, and President Madison, Chief Justice Marshall, and a host of the most prominent men in the State, were members.

His mother was a daughter of James Hunter and his first wife, Maria Garnett, daughter of Muscoe Garnett and Grace Fenton Mercer, and sister of Hon. James Mercer Garnett. She was an elder sister of the late Hon. Robert Mercer Taliaferro Hunter, who served in the State Legislature, the U. S. House of Representatives, of which body he was the Speaker in 1839-40, and later in the U. S. and the Confederate States Senates, and was Confederate Secretary of State for several months.

His grandfather, Hon. James Mercer Garnett, was the son of Muscoe Garnett and Grace Fenton Mercer, daughter of John Mercer, of Marlborough, Stafford county—a lawyer, author of Mercer's "Abridgment of the Laws of Virginia," and his second wife Anne Roy. He was a grandson of James Garnett and his second wife, Elizabeth Muscoe, daughter of Salvator Muscoe, a lawyer, and a member of the Virginia House of Burgesses (1734-40), of which body James Garnett was also a member (1744-47). James Garnett was the son of John Garnett, of Gloucester county, later of Essex county, Virginia, whose will was proved in Essex county court March 11, 1713. He is supposed to have been descended from the Garnetts of Lancashire, England, but the date of his immigration to Virginia is not known.

James Hunter, maternal grandfather of M. R. H. Garnett, was the son of William Hunter and Sarah Garnett, daughter of William Garnett,—who was the son of the above-named James Garnett and his first wife, Sarah Green,—and Ann Rowzee. Both the parents and the grandparents of M. R. H. Garnett were, therefore, related to each other. Muscoe was the surname of his paternal great-great-grandmother, Russell was a surname in the Hunter family, and Hunter was the surname of his mother, who was a first cousin of his father, James Mercer Garnett, Jr. His father was educated at Princeton College, but left before graduation and entered upon the prac-

tice of the law. He died in his thirtieth year, too early to make a name for himself, but family tradition credits him with most remarkable talents. His mother was a woman of unusual intellectual powers, a strong and determined will, and excellent business qualifications, and was one who impressed herself upon all with whom she came in contact. She was very fond of reading, and having access to good libraries in both her father's and her uncle's homes, had fitted herself well to direct the education of her son, who received his early training at her hands, and those of his maternal aunts, all intellectual women. One of these aunts, Miss Martha Fenton Hunter, well known in her day as an authoress, chiefly of children's stories and novels—one of which, *The Clifford Family*, attained considerable reputation—has left us a sketch of her nephew, which deserves insertion here as the *only* contemporary account that has been preserved, written by one who knew him well all his life and took part in his early education, as did also another aunt, Miss Jane Swann Hunter, who possessed one of the strongest feminine minds that the writer has ever known.

After the death of his grandfather, Hon. James Mercer Garnett, of "Elmwood," in 1843, his daughter-in-law and her son lived for many years at "Fonthill," Essex county, Virginia, the residence of her brother, the Hon. Robert M. T. Hunter, with whom also lived his above-mentioned sisters, and it was under such training and influence that young Muscoe Garnett was brought up until he was nearly thirty years of age.

The following is the sketch referred to above:

MEMOIR OF MUSCOE R. H. GARNETT BY HIS AUNT, MARTHA
F. HUNTER.

"M. R. H. Garnett [was] born on July 25th, 1821, at Elmwood in Essex county [Virginia]. Strongly marked traits of character and mind were much earlier developed than is usual with children, in the subject of this memoir. He was gifted

by nature with unusual sensibility, quickness and delicacy of perception, and was always remarked by his friends for a depth and reach of thought far beyond his years. Though his temper was naturally quick and his feelings impetuous, there was so much native kindness and gentleness in his disposition that no one who knew him can recall an act of boyish cruelty, or violence, ever committed by him; the sight of suffering always caused him pain, partly, I believe, from delicacy of organization, partly from strong natural sensibility, and in some measure also attributable to his having been educated by women during the early years of his life. The early influences under which he was fostered, and the circumstance of being an only child, no doubt greatly contributed to strengthen these traits of character, and produced a degree of purity and refinement of feeling, which made the necessary intercourse with the world in after life often painful and jarring to his spirit. A few anecdotes will illustrate the very early development of his mind, and the subjects of thought upon which he loved to dwell.

When not more than five years of age, he used to delight in hearing passages from "The Pilgrim's Progress," and attempted to draw a picture of the Last Judgment, the dead rising from their graves, Christ on the throne of His Glory, the sheep on His right hand and the goats on His left. The drawing, of course, consisted only of wide, imperfect pencil marks, but the idea which he attempted to explain in all its details with great animation, and something too of solemnity, quite touching in so young a child, was remarkable.

He showed, when not more than seven or eight years of age, a marked fondness for poetry, history and geography, and made very early attempts at composition; at eight and nine he wrote tales and verses evincing a power of expression and thought very unusual at so early an age. When not more than eight years of age he would spend two or three hours at a time stretched on the floor in the parlor, studying Le Sage's Atlas, perfectly absorbed in tracing the courses of rivers and the relative position[s] of towns and counties. When he was

not more than ten years of age, he undertook to edit a literary paper to which he engaged some of his friends and acquaintances as contributors, and for which he wrote several articles, but as every number was to be sent in manuscript, the undertaking proved so laborious as to be soon relinquished. His aims were always high and his interest directed to objects which seldom engage the attention of boys. He acquired very early habits of accuracy and research, and a power of systematising and generalising whatever knowledge he acquired, so as to bring it to bear upon any subject to which his attention was directed. It was one of his amusements to write historical tables, and when not more than twelve or thirteen one of his favorite plans was, when he was old enough for the undertaking, and had acquired the necessary knowledge, to write a Universal History, the plan of which he had conceived on a very comprehensive scale, and he used to delight to enter into the details of all its intended execution.

The Romances of History by Henry Neale, Scott's Novels and Shakspeare's Historical Plays, doubtless, increased his taste for historical studies, which was always a very marked one during his life.

When he was rather more than eight years of age, his grandfather, Mr. James [Mercer] Garnett, having engaged the services of a competent teacher, opened an Academy for boys at Elmwood, his own residence and Muscoe's home. This gave Muscoe an opportunity of mingling with boys of his own age and sharing their studies, but he was so much addicted to his own pursuits, and so fond of the company of his mother and his family, that his intercourse with the boys had much less influence over his character and habits than could possibly have been anticipated, and he always retained a marked individuality of character. As a proof of his zeal for acquiring knowledge, it may be mentioned that he read voluntarily during his leisure hours a very voluminous and tedious historical work, Rollin's Roman History, when he was not more than ten years of age, and continued without intermission to follow out his own plans for self-improvement.

When the Academy for boys was broken up at Elmwood, he continued to reside there and was instructed by private teachers with two or three other boys. He was, therefore, never removed from home influences until he went to the University of Virginia, when he was rather more than seventeen years of age, and where, though he remained only a year and was detained at home by sickness for some weeks, he graduated in Mathematics, Greek, Latin, French and German. An extract from one of his letters, written whilst he was at the University, will best explain the nature and extent of his views on self-education.

‘I shall continue my general studies without reference to any particular profession for at least twelve months and probably longer. Of course, then, my three branches of study will be history, metaphysics, and Belles Lettres. I shall frame an extensive course of study in each, and the books may be in any of the five languages I am acquainted with. So by reading authors in the original, my knowledge of the language will be kept up and improved. History I will study not as a mere amusement, but philosophically. I will study it in connection with Political Economy and the general doctrines of government, and as an illustration of the science of the mind, in short, as “philosophy teaching by example.” By metaphysics I mean the whole philosophy of the mind, whether considered individually or in masses, in its most extensive sense. In Belles Lettres I will study the great poets and critics, and view their masterpieces not only as sources of enjoyment, but as works of art, and examine the principles which direct their composition. In a word, I mean to study in these Belles Lettres what the Germans call Aesthetics. And furthermore, I shall accustom myself to express my reflections on what I read in writing. This will force me to reflect, fix what I read in my memory, and assist me to form a style in writing. Now, look at the advantages of this plan. I am anxious to become well acquainted with the languages, and this plan will certainly make me so. For, if I read Shakspeare, so will I Homer and Göthe. If I read Clarendon, so will I Sismondi and

Tacitus, and if I study Bacon, so will I Plato. This plan too embraces everything but mathematics in its connection with the natural sciences, and the sciences themselves. But these can easily be put in. It may be objected that it is so extensive that it would require a long time to do it any justice. I reply that I can stop whenever I find it necessary, and that, as to its requiring so much time and labor, a thorough education is not to be attained without these. I think, in making out a course of reading, the best plan is to put down the very best books we know, without considering whether we have them or not, and also to make the course very thorough without noticing how long it would require to go through it. Then we can afterwards modify it to suit our case.'

There was an interval now of two years spent at home, during which he endeavored assiduously to carry out his views of self-education such as are expressed in the above extract from his letter, and though his views were too comprehensive to be thoroughly carried out in practice, his reading was various and extensive, and the studies to which his attention was chiefly directed were so thoroughly digested and systematised in his mind that he could apply the knowledge he possessed to any subject he wished. During this time he paid two or three visits to Washington, where he took great delight in the access to books which the Congress Library afforded him, and the opportunities of attending the debates in Congress.

At the expiration of two years he returned to the University of Virginia for the purpose of attending Judge Tucker's Law Lectures. In the home of this gentleman he found a second home; to his intercourse with Judge Tucker's family and the warm friendship formed with one of his sons, it may be attributed that his time passed off so pleasantly that he often said in after years he looked back upon this year as one of the happiest of his life.

He entered upon the practice of his profession soon after his return home, where he determined to reside, and attended the county courts in which he practised regularly, studying

conscientiously whatever cases he undertook and giving much satisfaction to his clients, but country practice did not afford sufficient stimulus to his mind to awaken a very strong interest in his profession, and his time was much occupied by pursuits more congenial to his tastes and habits. At this period of his life he was fond of agriculture, both as a study and an occupation; indeed, the earnest and reflective character of his mind always blended study with his occupation; he cultivated Belles Lettres not only as an amusement but as a study, applying the principles of philosophical criticism to the masterpieces of the best authors, but his especial delight was always in historical studies, which he conducted in the manner indicated in the extract from his letter, in which he lays down the plan he designed to pursue in reading history. He acquired such an extensive, connected and systematic knowledge of history as to add rich and varied stores to the furniture of his mind, enabling him to find apt and striking illustrations from the past of present and passing events. He was a warm admirer of Niebuhr, and derived many valuable lessons as to the manner in which history should be studied and applied from the writings of this author.

German literature opened up to him many new fields of thought in which he delighted to expatiate; the depth of thought to be found in the celebrated writers of this language, their habits of extensive and accurate research, their philosophical manner of treating the subjects upon which they wrote, were peculiarly fitted to excite the admiration of a mind such as his, and exercise a strong influence upon his modes of thinking and mental training.

One of his first publications was a Review on Heeren's Ancient History. It appeared first in *The Southern Magazine*, edited by Mr. Edmund Ruffin, and at once excited notice and admiration; it was republished in *The Southern [Literary] Messenger*. He wrote also a Review of the Life of Calhoun, and a Review of Paget's Hungary and Transylvania, both of which appeared in *The Southern [Literary] Messenger* [the latter in the Nos. for January and February, 1844].

The rich materials he possessed for writing in his varied stories of information upon many important and interesting subjects, the trains of thought to which they had given rise in his mind, and the power he possessed of expressing his thoughts not only forcibly and accurately, but also beautifully when occasion required it, made his friends regret that he did not make more frequent use of his pen, but the very high standard of excellence in composition he had formed was one of the chief causes [why] he did not write more, as it was difficult for him to believe that his efforts came up to their requirements. He had many literary plans which were never executed, to the regret of those who knew his capacities and acquirements most intimately, and who believed that he could have adorned and illustrated any subject to which he gave his attention.

Though he was always an interested observer of public affairs, and became, as soon as he formed any political opinions, a strong opposer of Northern incroachments and the Northern school of politics and a warm champion of Southern Rights, he made no attempt to enter public life, nor published anything upon political subjects until the winter of 1850. At this period he wrote "The Union, Past and Present [Future]," and the publication of this pamphlet was the commencement of a new era in his life. From this time his attention was more closely directed to political subjects, and his desire to enter public life increased. It was in the summer of 1850 that he delivered an oration at the University of Virginia at a meeting of the Alumni.

His entrance on public life was as a member of the Convention which met in Richmond [in 1850]. As Mr. Tucker is intimately acquainted with all that relates to his political career, it is useless to dwell on the subject, and I will, therefore, add only a few more observations upon some of the traits for which he was distinguished from childhood.¹ A love of truth, a sense of honor, a contempt for all that is mean

¹ This allusion is to the fact that his friend, Hon. John Randolph Tucker, proposed writing a sketch of his life which was never fulfilled.

and base, characterised him even as a child. A love of the beautiful seemed natural to him, and was always a source of exquisite delight. He was always a firm believer in the truth of Revealed Religion, and a champion for it when assailed. The purifying influences of the Gospel of Jesus Christ seemed to exert an increasing influence over his character and life until its close. The metaphysical and political aspects of Religion had always peculiar attractions for him from his earliest years. As a proof of these tastes it may be mentioned that Coleridge's writings and Jeremy Taylor's sermons were among his favorite works on Theological subjects.'

The following extract shows the seriousness of the youth when not yet nineteen years of age. Extract from a letter written from the University of Virginia, 1839:

"And, indeed, as I grow older, and direct myself more and more, I feel that I shall meet the common fate of man, which I had one day hoped to escape,—to grow more *alone* as I grow older. I have an undefinable dread too of the burdens, the cares, the responsibilities of life, which weighs much upon my mind. And then, too, when I look back on the brilliant hopes with which I set out when a child, and watch how they have faded from year to year, it all makes me feel very sad. Even now what great things I would gladly attain, and yet the thought of the immense effort necessary, the intense and unwearying endeavor, and striving, appals me, and after all, if these efforts be in vain! It almost disposes me to give up all, and hope to find my pleasures in watching the clouds, sowing my corn, going from county court to county court, till the county bench becomes a refuge for my gray hairs. All these things weigh on my mind very much, and I feel a deep regret for what is not so easily described, I mean the passing away of the freshness and brightness of boyhood, for, though I am not an *old man*, yet the boy has passed into the youth, and I feel sorry that the youth is passing into the man.

You admire and appreciate that Ode of Wordsworth's, when he describes the 'glory' whose faded colors I so much regret (I believe that it is called "Intimations of Immortality,

from [Recollections of] Early Childhood”), and you will not accuse me of affectation when I say that I feel the ‘fading’ there described.”

When Muscoe Garnett was about eight years of age, his grandfather opened a boys’ school at Elmwood, chiefly for the education of his grandson. This school was taught by teachers employed for that purpose, Mr. Garnett attending to business matters, conducting family prayers, and delivering occasional lectures to the boys, a volume of which was published in 1830, containing four lectures. A girls’ school had previously been conducted at Elmwood by Mrs. Garnett and her daughters, to which Mr. Garnett delivered a series of lectures on Female Education, which were published in 1824 and 1825, and went through four editions.

The late Hon. B. Johnson Barbour, who attended the boys’ school in 1829, being a schoolmate there of Muscoe Garnett, has left some reminiscences of his school days in a letter to the writer written in 1885. He says of Mr. Garnett: “Mr. Garnett’s presence was very imposing, tall, well proportioned, with a fine eye, a full head of gray hair, neatly brought together at the back in a queue, which was the more striking from the fact that that style of dressing the hair had nearly gone out of vogue” and of Mrs. Garnett: “I cannot forbear from paying a deserved tribute to Mrs. Garnett. I still cherish her memory with love and gratitude. During my whole stay at Elmwood she was indeed a mother to me, chiding me gently when in fault, encouraging me in every way to press forward, calling me to her chamber to read a portion of the Scriptures, and afterwards whatever there might be of interest in the newspapers.” He adds of “Elmwood”: “I need not attempt any description of Elmwood. I will only say that it has suggested some of the fine old English houses to me, and for years after I lived there, when I would be reading an English novel, Elmwood, with its fine hall, its library and parlor, its corridors and general spaciousness, would rise up before me.” Mr. Barbour also pays a warm tribute to his friend and schoolmate, M. R. H. Garnett, with whom he continued in bonds of friendship until Muscoe Garnett’s death.

After some years of home education under tutors, and under the direction of his mother and aunts, studying ancient and modern languages, mathematics, history and general literature, Muscoe Garnett entered the University of Virginia in the fall of 1838 at seventeen years of age. The excellence of his preparation may be inferred from the fact that at the close of this session he graduated in Latin, Greek, mathematics, French and German, which course used to be known before the War of 1861 as "the green ticket." Had he returned the next session, he could readily have completed the course for the degree of Master of Arts, the only academic degree then given at the University besides the degree of Graduate in a School. He did not, however, return to the University the following session, but prepared to pursue a private course of reading and study at home for the next two years. The spirit in which this course was pursued may be seen from his letter quoted above in the sketch by his aunt. While many young men might not profit as much by a course of private study as by a college curriculum, such was his mind and such were his habits, that the result showed that this was best for him. For a young man of eighteen to twenty, with a good previous preparation, it may be a question whether it is not best to let him follow the bent of his own mind, for, after all, such self-education may be the *best* education, especially when it is as intelligently planned as the above-quoted letter shows that his was.

A letter from his uncle, the late Hon. R. M. T. Hunter, to his sister relating to her son, quoted in Miss M. T. Hunter's "Memoir" of her father (pp. 82 ff.), shows that it is best in his opinion to devolve responsibility upon a young man as soon as he is able to bear it; and the letter following (pp. 85 ff.), written to his nephew during his law course at the University, shows his deep interest in him and the excellence of the advice that he from time to time gave him. After these two years of private study at home, laying up a stock of physical health as well as making mental acquirements, Muscoe Garnett returned to the University of Virginia in the fall of 1841

and attended the lectures on Law of Professor Henry St. George Tucker, graduating with the degree of Bachelor of Law at the close of that session. He became very intimate in the family of Professor Tucker, and especially with his son, the late Hon. John Randolph Tucker, two years his junior, forming a friendship that was severed only by death.

It was at this time that a short-lived periodical, known as *The Collegian*, was conducted by the students, and Muscoe Garnett was one of its editors. In Vol. IV., No. 2, for November, 1841, will be found an article by the late John R. Thompson, well known in later life as a journalist and *litterateur*, descriptive of the five editors, Muscoe Garnett being described under the name *Emerald*. Thompson writes of him as follows: "To begin with our indefatigable *Emerald*. He is a gentleman who is entitled to your most distinguished consideration. In person he is rather under the middle height. His hair resembles drifts of purest snow, albeit he labors under the optical delusion that its hue is much darker. He dresses always in black, and although he boasts a connexion with the unterrified democracy, the gold chain which dangles ostentatiously from his neck would certainly inspire a different opinion. His conversation is instructive and diversified. At one time he discourses on the beauties of the dreamy writers of Germany; at another he enters into an eloquent and thrilling disquisition on the "Sovereignty of the People," but his favorite theme is Italy. He is familiar with every "ruined arch and ivied wall" from Rome and Caracalla's Baths to Tivoli's romantic steep. Her dark-eyed daughters and her sunny skies are associated with his fondest dreams of the Poet Land. He dives deep into the mazes of her philosophy and literature and sighs to think that

'In Venice, Tasso's echoes are no more,'

and that the lyre of Ariosto is motionless forever. *Emerald* is our chairman and presides over the meetings of the Committee with 'dignity blended with ease.' In his room he is generally

attired in a *robe de chambre* of most flaming material, and in his ordinary positions, exhibits an attitudinising elegance which Henry Pelham might have envied. Tobacco he loudly inveighs against, and, when talking on that subject, cites numerous instances of many unfortunate individuals whose sudden and lamentable death is to be attributed to its use."

In this Number "M. R. H. G." wrote the leading article on 'Poets and Poetry,' and one entitled 'A Winter Evening,' also five eight-line stanzas entitled 'Lines,' and beginning:

'The dove her plaintive note prolongs
From pine groves far away;
The birds their morning choral songs
Awake at spring of day.'

In the only other Number accessible to the writer, that for January, 1842, "M. R. H. G." seems to have drawn upon his home talent, as it opens with a letter "To the Editors of *The Collegian*" signed "Oliver Old School," the well known signature of his grandfather, James Mercer Garnett, of "Elmwood," in the *Southern Literary Messenger*, a prose article by his aunt, Miss Martha F. Hunter, entitled "Historical Scene from the Reign of the Empress Maria Theresa, translated from the German, for *The Collegian*," and certain lines by this lady entitled "The Hour to Die," and "The Enchanter's Invitation."

Muscoe Garnett graduated in Law at the close of this session, July, 1842, in the same class with the late Hon. John S. Barbour, Hon. Edward C. Burks, Col. H. Coalter Cabell, Maj. George W. Carr, Hon. Thomas Croxton, Hon. William J. Robertson, Col. John Scott, Col. William Watts, and others, twenty-six in all.

One of his most intimate friends at the University was, as stated above, John Randolph Tucker, son of the Professor of Law, Henry St. George Tucker, and a correspondence between the two extending from this year (1842) to 1853 has been preserved. Most of these letters are of too intimate a character for publication, but citations from a few may be

made in order to show the estimation in which Mr. Garnett was held. The following brief letter will be given in full:

“Winchester, July 6, 1849.

“My dear Muscoe:

“I have just learned by letter from our old friend Dick Noland, whose *penchant* for you is unsurpassed, that the new Chair of History and Literature has been erected at the University.² He writes most *passionately* (in the French sense of the term) for your appointment. Need I tell you, my well beloved, that I would rather you should have it than all others in the world. But will you take it? The two lines of distinction are before you. Which will you take? Political or literary distinction? I cannot advise as yet, without hearing from you. Let me hear. Let me see you in order to my hearing properly & fully. I believe you could get it.

I hear also that you are the orator [i. e., of the Society of the Alumni]. Glad am I to hear so. And I am your alternate. Glad also to be just behind you, when the association does me an honour, which my occupancy of the first position would never give me.

Write soon. In haste.

Your own friend,

J. R. Tucker.”

Mr. Garnett did not seem to approve of the suggestion of a professorship of History and Literature for himself, as Mr. Tucker's next letter of July 24th, 1849, shows. He writes: “One thing, however, before advancing. You seem to have given up the idea of the merely literary life, and to have become enamoured of the politico-literary. *Eh! bien*, as you will. But what do you mean by going to practise law in a city? Where? Baltimore? Not New York or any city north of Baltimore, surely? The question is one full of interest. 1st, would you suit it? 2nd, will it suit you?

² This was premature, as this Chair was not finally established until 1858.

"If it be any Northern city or even Baltimore, I would say not. If it be Richmond or a Southern city, it is more probable. This much for the 1st question. As to the second, I doubt as to any, for the purpose you propose. Practise law! You do not like it, and in all human probability never would. There is too much of the merely plausible, of the technically ingenious, of the *ad captandum*, in the practise of law to suit *your taste*, if not the order of your mind. Nor do I depreciate you at all. That is a higher order of mind which cannot deceive itself, and which is consorted with a heart which refuses to deceive others. Now, my own idea is that it would not suit you to devote your life and talents to the pursuit of a profession like that of the bar. To do it in a city requires incessant, persevering, EXCLUSIVE devotion to its study. In your present situation, or even in mine, time is allowed to some other duty, but in a city success only waits on exclusiveness of attention to the profession of your choice. *Would that suit you?* But you may look to political preferment in a city. 'Choose you this day whom you will serve.' In a city politics and law will not mingle with success in the latter. It is impossible. It results from the *necessity* of that *exclusiveness* above-mentioned. Then, if Politics be your object, flee a city, the most tainted and corrupted air for pure political aspirations like your own, that ever was selected. You may expect the oak to grow in the dark cells of the Penitentiary, but never hope to see the pure, and honest, politician thrive in the heated and putrid atmosphere in which alone can flourish the political rabble of a city. Upon the whole of this matter let me have a *talk* with you before you decide. Come here and let me *see* you."

Immediately after graduation he opened his law office at Loretto, Essex county, the Post Office nearest to "Elmwood," and continued to reside there until after the death of his grandfather in April, 1843, when he and his mother, as stated above, made their home at "Fonthill," the residence of his uncle, the late Hon. R. M. T. Hunter. For some years he devoted himself to law and literature, of which the latter

seems to have accorded best with his tastes. He wrote chiefly review articles, the titles of some of which are given in the above-quoted sketch by his aunt.

He was a great admirer of Mr. Calhoun and a supporter of his views of Southern Rights, the continued aggressions on which by Northern politicians were creating the gravest apprehensions. His review of the "Life" of Calhoun, referred to above a short sketch of whose life from 1811 to 1843 had been prepared by the Hon. R. M. T. Hunter—will show his own political opinions, from which he never deviated. His review of Paget's "Hungary and Transylvania" (2 Vols., London, 1839), published in *The Southern and Western Literary Messenger and Review*, as it was then called (Vol XII., Nos. 1 and 2, January and February, 1846), under the editorship of the late Benjamin B. Minor, Esq., will give an example of his literary style, which was pure, smooth and flowing, easy and polished, a model of its kind.

Thus he continued his self-education, reading and writing, and laying up those stores of knowledge and learning which stood him in good stead when he entered later upon political life.

It was in the year 1850, before he was thirty years of age, that we have Mr. Garnett's first printed address, delivered before the Society of Alumni of the University of Virginia on June 29th, 1850. It is in this address that we first see the results of his literary and political training.

It shows the ardent devotion of the alumnus to his *Alma Mater*, the pride of the citizen in his State, which was to be the *coryphaeus* of that chorus of Southern States that was eventually to be the leader of the World. But alas! physical power was to overthrow moral and intellectual. Scarce fourteen months after Muscoe Garnett's death all these visions were ruthlessly shattered, and even then "coming events cast their shadows before."

It was in this year that his principal pamphlet was published on "The Union, Past and Future: How It Works and How to Save It. By a Citizen of Virginia (Charleston,

1850)." This is a calm and well-reasoned discussion of the political and economic relations between the Northern and the Southern States since the foundation of the government, that is, during the preceding sixty years (1790-1850), supporting its statements with respect to the economic relations by some half-dozen tables taken from the reports of the Secretary of the Treasury, and other official documents. His view of the political relations may be seen from the opening paragraph:

"The time has come when it behooves every Southern man to consider the best means of preserving the Union which he loves, and the rights and honor which are yet dearer. Sixty years have passed since the Northern and Southern States entered into a treaty for the common defence and general welfare. We joined that league as equals: its strictly defined powers were to be exercised for the equal good of all the parties, and its benefits and burdens were to be equally shared. But our allies at the North have grown strong under the fostering protection of this great treaty, and are no longer content with the equal conditions upon which it was formed. They have perverted it from its original character, not only wielding the granted powers for sectional and oppressive purposes, but assuming every doubtful power for their exclusive advantage.

"In this spirit they have advanced far in a series of measures, which, if unresisted, must end in the overthrow of our slave institutions. But it cannot be doubted that a free people, still untamed by the yoke of oppression and the stamp of superiority, will resist such assaults. The South has at stake, not merely the fourteen hundred millions of dollars, the value of her slave property, but all of honor and of happiness that civilization and society can give. To count the means of resistance, the relative strength of the opponents, the value of what we must hazard, and the surest ways of preserving the Union in its original equality, is the object of this Essay."

These quotations show the danger to be apprehended, even in 1850, from the political discussions between the Northern

and the Southern States, the continual aggression of the North upon the South on account of slavery, and the natural resistance on the part of the South to a violation of her Constitutional rights. The bulk of the pamphlet is taken up with the discussion of the disadvantages of the Union to the South from an economic point of view, and the manifest effort of the North "to convert this Federal Union into a grand consolidated State, on the French model, where the numerical majority might have absolute sway."

This tendency has progressed since the War Between the States and the liberation and enfranchisement of the negroes—*itself a fulfillment of the prophecies previously made*—so that even now the proposition is discussed in Congress to deprive the Southern States of electoral votes, because, forsooth, negroes are deprived of votes, which, in the opinion of the majority in Congress, *they ought to cast*, thus importing an entirely new principle into legislation. The illegal enfranchisement of the negroes should be sufficient, but the end is not yet.

The pamphlet contains many truths, and *then* was the time for secession, when the South was stronger and proportionately better able to maintain her "Equality and Independence," but the "numerical majority" proved too strong for her.

A communication in *The Union*, a Democratic paper of Washington, D. C., said of this pamphlet: "It is filled with profound thought and powerful argument, which at the present time commend themselves to every patriotic heart which desires the preservation of the Union and the restoration of kind feelings between the two sections of our country. A general consideration of this essay will not only diffuse light and information amongst the community, but will show most clearly the indispensable necessity of restoring repose to the public mind. As sincere friends of the Union—as most ardently desirous of giving quiet to the agitated feelings of the country—we recommend to every one to read and circulate it. * * * The facts and statistics are faithfully arrayed, and will well repay a most thoughtful perusal."

The extracts from Mr. Garnett's pamphlet show his views on the burning questions of the day, especially his

firm determination to resist all Northern aggressions upon slavery, such as the Wilmot proviso and cognate measures, even at the risk of a severance of the Union. If Southern men could not settle freely in the common territory of the Union with their property of all kinds, without any restriction, of what good was the Federal Union to them? They were not willing to submit to a circumscription of their rights in any respect, and the manifest tendency of all restrictive measures proposed by the Northern States was to confine slavery to the States in which it already existed, and ultimately to extinguish it even there. This was plainly the object to which all these proposed measures looked, and the South preferred to dissolve the partnerships which they had a perfect right to do, rather than submit.

Mr. Garnett had, up to this time (1850), never held a political office, but he was now chosen a delegate to the Constitutional Convention that assembled in Richmond, Virginia, on October 14th, 1850, representing the district composed of Essex, King and Queen, Middlesex and Matthews counties, and having as his colleagues, James Smith, of King and Queen, and Muscoe Garnett, of lower Essex county, who, if at all related to him, was very distantly related. Mr. M. R. H. Garnett took a very active part in the deliberations of this Convention, especially in the discussion of the basis of representation, on which he delivered a notable speech. He strongly supported the *mixed basis*, for it was upon this question that the eastern and the western portions of the State were divided, the eastern portion favoring the mixed basis and the western portion, the white basis, the mixed basis allowing certain weight to the negroes, as in the U. S. Constitution. (See Appendix.)

At the election succeeding the adjournment of the Constitutional Convention of 1850-51, Mr. Garnett was elected to the House of Delegates, and served continuously for five years. He was made chairman of the Committee of Finance, and there has been preserved a report of that committee

submitted by him on February 4th, 1856, but it is not possible to go into the subject in any detail for want of necessary space. He was specially interested in financial matters, and became thoroughly conversant with them. He seems to have inherited his aptitude for these matters, for his uncle, the late Hon. Robert Mercer Taliaferro Hunter, United States and Confederate States Senator from Virginia, was for many years chairman of the Committee of Finance in the United States Senate, and was specially prominent in framing the tariff bill of 1857. He favored a low tariff, but not one so low as to reduce the revenues of the country below its expenses; nor did he believe in levying a tax upon consumers for the benefit of producers.

In 1855 Mr. Garnett was appointed by the Governor a member of the Board of Visitors of the University of Virginia, and served until 1859. He is said to have been largely instrumental in the establishment by this Board of the Chair of History and Literature in the University of Virginia, the first incumbent of which, Professor George F. Holmes, entered upon his duties in October, 1857. Mr. Garnett was deeply interested in the University.

In the year 1856 the Democratic Representative from the First Virginia District, Hon. Thomas H. Bayly, died, and Mr. Garnett was looked to as a suitable candidate for the vacancy. The District consisted at that time of the counties of Accomac, Elizabeth City, Essex, Gloucester, King and Queen, James City, Lancaster Mathews, Middlesex, New Kent, Northampton, Northumberland, Richmond, Warwick, Westmoreland, York, and the City of Williamsburg, and the nominating Convention met at the Courthouse of Mathews county on Wednesday, the 20th day of August, 1856. The result of the first ballot was as follows:

Muscoe R. H. Garnett,	1,938
Robert L. Montague,	1,207½
Richard A. Claybrook,	690
J. B. Cosnahan (not in nomination),	36½

3,872

Mr. Garnett, having received a majority of all the votes cast, was declared the nominee, and, on motion, the nomination was made unanimous. At the election in November Mr. Garnett was duly elected over his opponent of the Know Nothing party.

The *Richmond Enquirer*, as quoted in the *Democratic Recorder*, of Fredericksburg, of Sept. 8, 1856, said of the nominee:

"Mr. Garnett was first distinguished as the author of a political pamphlet, which elicited immediate and universal applause by its intense Southern spirit, the originality of its speculations, and the sound statesmanship which controlled its conclusions. It was the earliest and the ablest philosophical exposition of the relations of slavery to the Federal Government; and as such gave the writer foremost rank among the rising men of the South. But it is not so much for this production, or his contributions to the Reviews, that Mr. Garnett is held in high esteem through the State. His reputation, in Virginia at least, rests on the more solid basis of an approved ability in practical legislation.

"The last session of our General Assembly was distinguished by the discussion of some of the most profound and difficult problems in finance and general policy; and in virtue of his position at the head of the leading committee, Mr. Garnett bore a conspicuous part in every debate. The promptitude of suggestion, the fertility of resource, the mature thought and ample information which he displayed, in collision, too, with some of the first minds of the State, were attested and applauded by men of all parties.

It is compliment enough for one so fresh in public affairs, to say that he sustained himself in strenuous hand to hand debate with a person of the experience and ability of John B. Floyd. The contest between these gentlemen was worthy of any arena. Mr. Garnett certainly suffered no loss of credit, but (and it is a rare thing) he fully redeemed the reputation of his writings. * * * Mr. Garnett is known through the North as the most prominent and brilliant of

that rising school of statesmen in the South who defend the institution of slavery on grounds of moral, social, and political expediency—of that school which, discarding the prejudices and rejecting the dogmas of an obsolete age, boldly claims for the civilization of the South the sanctions of a juster and truer philosophy. He is known, too, for that sort of *ultraism* which is unwilling to brook any further infringement of the Constitution and encroachment upon the rights of the South.

The effect of the defeat of a person with this reputation and these opinions, at this particular crisis, will be to confirm the impression now so actively propagated in the North, that the people of Virginia are not so loyal to its institutions and so jealous of its rights as the papers and politicians represent. And the effect of that pessimism would be to stimulate the fanaticism of the Abolitionists, and encourage them to still more violent assaults on the Constitution. * * * The people of that district owe it to themselves, to the State and to the South, to reinforce the ranks of the slavery champions in Congress with the best talent, the best energy, and the best spirit which they can press into the public service. We cannot doubt the election of Mr. Garnett."

In consequence of this election in November, 1856, Mr. Garnett's political activity was transferred from the State Legislature to the halls of Congress, which he entered the following month, Dec. 1, 1856. The experience that he had had in the State Constitutional Convention, and in the Legislature, especially as chairman of the Committee on Ways and Means of the House of Delegates, was, doubtless, of great service to him in this larger field of legislation. Some half-dozen or more separate printed speeches delivered in the House of Representatives, have been preserved, but we can do no more than mention them here.

The first that we have available is one on "Public Expenditures and the Tariff," delivered on Feb. 14, 1857, about two months and a half after he took his seat. Here he advanced the views that he always held of economy in expenditures

and a low tariff, the limitation of expenditures to the actual needs of the Government, and the reduction of the tariff to the demands of the revenue. This whole speech shows the Democratic position on the tariff, especially at that time when a reduction of duties was necessary to avoid piling up a surplus revenue.

The amounts a half-century ago were ridiculously small when compared to the colossal receipts and expenditures of the present day, but the principle of retrenchment and reform was the same. It was no part of the office of government to assist individuals in amassing huge fortunes, and to levy taxes on the necessities of life, which oppresses the poor and increases the inequality of wealth already existing.

The principles of the Democratic party have remained the same, and they have ever striven against the exorbitant duties which go from bad to worse, but the people are blind to their true interests, and the oppression of the poor by means of the tariff continues and will continue against all opposition. The following year, on March 22nd, 1858, Mr. Garnett delivered a speech on the admission of Kansas into the Union under a Constitution which authorized its admission with slavery. He showed clearly that the anti-slavery feeling was at the bottom of the opposition to the admission of Kansas, while there was no opposition to the admission of Oregon and Minnesota, notwithstanding certain irregularities, because the Constitutions of these States forbade slavery. He asserted that the Senator from New York [Mr. SEWARD] "disclosed the true secret when he declared that it was a dynastic struggle between North and South whether another slave State could be admitted into the Union," and he gave an interesting historical review of the issue.

Less than two months later, on May 4th, 1858, Mr. Garnett spoke on the admission of Minnesota, opposing such admission not on political grounds, but because of serious irregularities in the adoption of its Constitution.

The enabling act permitted unnaturalized foreigners to vote; it violated the compact entered into on the cession of

the Northwest Territory in that five States had already been formed from it and now twenty thousand square miles more went to the formation of Minnesota; moreover, there were irregularities in the organization of the conventions, hence the Constitution was not the act of the people of Minnesota, even if it was afterwards adopted by the people; this act could not make that lawful which was previously unlawful. Again, the population did not justify the number of representatives allowed to the State. Minnesota, therefore, had not complied with the enabling act and did not have a population that justified more than *one* representative, and such an amendment Mr. Garnett offered to the pending bill. He protested against allowing to Minnesota twice the power and influence given to his people.

We have another speech on "Public Expenditures," delivered by Mr. Garnett on February 14th, 1859. He takes up the expenditures of the different departments, Army, Navy, Post-office, Public Lands, and others, and proposes reductions in them all, showing again his advocacy of retrenchment and reform. Without going into details, which would be of no service at this day, we may quote his closing paragraph as showing the principles which actuated him in his Congressional career. He says:

"There are but two modes of organizing parties. One is on principles—principles fixed and eternal; the other is by patronage and expenditure and personal combinations. The State-rights Democratic party commenced its career with the foundation of the Government. It began on principle; on the strict construction of the Constitution; that Government should do as little, and that the individual should do as much, as possible. It has been a party of free trade, of low duties, of economy, of retrenchment, and of a strict construction of the Constitution. It is because it has been such a party that it has commanded the affections of the people of the country.

My heart warms to its old banner inscribed with the names of many a glorious achievement and soiled with the smoke of many a gallant action; warms to it when I remember that,

under the auspices of that party, our country has grown from the few feeble settlements of 1789 to the magnificent Confederacy in which we now live; warms to it when I remember that it laid down, in 1798-'99, in my own old State, the chart of constitutional construction, which, amid all aberrations, it has ever returned to since; when I remember that, despite the opposition of its foes, it added to our country the mouths of the Mississippi; that it added Florida and Texas, and gave us the Pacific Coast. I thank it when I remember that, under its care, we have been gradually brought from a system of high duties, paper currency and of Government interference, to a system where we have a sound metallic currency, and comparative free trade; where our trade and commerce, our imports and exports, have outstripped those of any other nation of the world.

I value it for all these things; and let me say to my friends of the Democratic party, that, if we once permit ourselves, for the sake of carrying this election or that election, in this State or the other State—ay, even in the old Keystone State itself—to desert our principles, and to become a protectionist party,—when we depend for success, not upon principles, but upon expenditure—then the days of the party are numbered, and its *mene, mene, tekel upharsin*, are written on the wall. By adhering to principles, though we may be in the minority for a moment, we will ultimately control and carry the country with us, and command the destinies of the Confederacy and of the western hemisphere, till we shall have fulfilled that high mission on earth for which God designed our race."

This speech also shows his steadfast adherence to the principles of the Democratic party, economy in expenses, low tariff, and strict construction of the Constitution.

Mr. Garnett sometimes joined in brief remarks on bills before the House. On Jan. 15, 1860, the Civil Appropriation bill being under consideration, he moved to amend the 21st amendment made by the Senate by adding thereto the following proviso:

"*Provided*, That the opprobrium of American art, purporting to be an equestrian statue of Washington, shall be removed and melted down and the bronze sold to defray in part this appropriation,"—on which he remarked as follows:

"Mr. Chairman: In the last sixty-odd years the memory of the Father of his Country has been harassed by Fourth of July orations and by disgraceful statues and monuments all over this country, and by pictures such as that wretched daub which we see there in the corner of this Hall. Not many years ago we placed him in an almost naked condition out in these grounds to endure the hot sun of summer and the cold frosts of winter.* And not content with thus pillorying him in the public grounds, we have now mounted him on what purports to be a horse, but what any gentleman who has been accustomed to see horses will pronounce to be an intolerable beast. But not content with that, this so-called artist has placed him in a position in which it would be impossible for any rider to continue in his seat for two consecutive minutes. The horse is rearing, while the rider, instead of leaning forward, is falling back, about to pitch backwards over the thing intended for the horse's tail. I think it great ingratitude on the part of the American people to keep their "Father" in such a position any longer. That figure, sir, is a caricature of every lineament of his face, and every feature of his form; and I do hope that Congress, if it means to pass this amendment at all, will, before they inclose this circle with an iron railing, take down this wretched abortion."

"MR. JOHN COCHRANE. I call for tellers on the Father of his Country. [Laughter]."

"MR. GARNETT. I withdraw the amendment. The amendment of the Senate was non-concurred in."

As showing his care for the purity of the English language, on another occasion he remarked: "I move to strike out the word 'donated' and insert the word 'given,' the word 'donated' not being properly a word in the English language in that sense."

* This extraordinary statue has been transferred to the Smithsonian Institution.

"The amendment was agreed to."

Turning aside for the present from Mr. Garnett's political and economic speeches, we may glance at his private life. We have already stated that, after the death of his grandfather, Hon. James Mercer Garnett, he and his mother had removed from "Elmwood" and taken up their residence at "Fonthill," the home of his uncle, Hon. Robert M. T. Hunter. "Elmwood" meanwhile came into the possession of his mother and himself, and during the fifties considerable expense was incurred in its repair and improvement. (See cut.)

It was a handsome brick dwelling of two stories and basement, containing wide halls running from front to back, that is, approximately, south to north, and from east to west, along the front of the house, the first floor containing, to the right of the main hall, a parlour and a very large dining-room, and to the left, a library and a large chamber. The second story contained a hall running from east to west over the front hall on the first story, and some half-dozen spacious chambers. A wide staircase to the left of the main hall connected the two stories.

When Mr. Garnett remodeled the dwelling about 1856-'57, he removed this staircase and placed it in a tower to the west, or left of the main entrance, which enlarged the upper hall and improved the external appearance of the house, although it destroyed the exact rectangular form. He also improved the porches both front and back, and at the east and west ends.

The estate contained about one thousand acres of low grounds and forest land, and was situated on the second rise from the Rappahannock River, some six or seven miles distant, and from the hill on which the house was built there was a beautiful view of the river, both up and down. A large garden, with a family burying-ground adjoining it, was back of the house.

The house was built by Mr. Garnett's great-grandfather, Muscoe Garnett, and was completed just before the Revolutionary War, all except the porches, the construction of which

was interfered with by the outbreak of the war. It is said that the bricks were imported from England, but this will not be vouched for, as mistakes of this kind have been made in respect to the old colonial churches.

Vawter's Church, built in 1731, about three miles distant, was always attended by the family, and of this church the Hon. James Mercer Garnett was a vestryman, a delegate to the Diocesan Convention, and often a delegate to the General Convention of the Protestant Episcopal Church.

On July 26th, 1860, Mr. M. R. H. Garnett married Miss Mary Picton Stevens, daughter of Edwin A. Stevens, Esq., of Hoboken, New Jersey. There were two children born from this marriage, James Mercer, born July 7, 1861, and Mary Barton Picton, born May 28, 1863.

The state of the country, however, did not long permit a quiet enjoyment of his married life.

The couple resided at "Elmwood" except during the session of Congress following their marriage, when they spent the winter in Washington.*

The election of Lincoln in November, 1860, increased the apprehensions already felt by the Southern people. It conclusively settled their exclusion from the territories, and rendered probable speedy interference with their domestic institutions. The Union would no longer be a union of States with equal rights, as intended by the Constitution, but a Union in which the numerically stronger would rule, and the weaker would have no security for their rights but the arbitrary will of the stronger.

South Carolina had already declared that the election of Lincoln would in itself constitute a sufficient justification for her withdrawal from a Union in which she could no longer enjoy her equal rights. She, therefore, repealed the ordinance adopting the Federal Constitution and took her position as an independent State on December 20th, 1860. Six other States speedily took similar action, Georgia, Florida, Alabama, Mis-

* See Mrs. Clay-Clopton's book, "A Belle of the Fifties," p. 50.

issippi, Louisiana, and Texas, so that by February 1st, 1861, seven States had formally withdrawn from the Federal Union, in the exercise of their sovereign rights, as declared in the Virginia and Kentucky resolutions of 1798-'99, which had been for over sixty years the tenets of the Jeffersonian Democracy. These States, by the mouths of their delegates appointed for the purpose, assembled in Montgomery, Alabama, on February 4th, 1861, and formed a union of the Confederate States, choosing Jefferson Davis as President, and Alexander H. Stephens as Vice-President.

The Virginia Legislature invited a Congress of all the States to meet in Washington on February 4th, 1861, the day of the meeting of the Congress of the Confederate States, to take into consideration the state of the country.

This Congress was presided over by Ex-President John Tyler, of Virginia, venerable from age, dignity, and official position, and it deliberated for about three weeks (February 4th-27th) on the present alarming condition of affairs.

The Crittenden resolutions, which had been proposed in the Senate by Senator Crittenden of Kentucky, or some similar terms, were approved by the Southern men, but the Northern men were opposed to all compromise of the questions at issue, so that the deliberations of the Congress resulted in nothing acceptable.

The Virginia Legislature also called a State Convention to meet on February 13th, and to decide upon the course to be taken by the State.

Virginia had voted for Bell and Everett, candidates of the Constitutional Union party, and when the Convention assembled, the majority was composed of Union men. Sentiment in the State, however, had greatly changed since the election in November, 1860, and when the Convention met on February 13th, 1861, many who had voted for Bell and Everett were now in favor of immediate secession. Mr. Garnett was not an original member of this Convention, but was chosen to fill a vacancy from Essex and King and Queen counties, caused by the resignation of the former member.

He discharged his duties as Representative in Congress until the secession of the State on April 17th, 1861. He had, however, expressed his views on the questions at issue, which were in favor of immediate secession from the Union by Virginia and the resumption of her independent sovereignty. Along with other Southern Senators and Representatives he had signed early in January a paper indicating the course that the South should pursue. He delivered in Congress during this winter two speeches, one on January 16th on "The State of the Union," and the other on February 20th, on "The Bill for the Increase of Vessels in the Navy," which show clearly his position.

Events moved rapidly during the winter of 1861. One month later, on February 20th, Mr. Garnett delivered in Congress the last printed speech that has been preserved. It was on the bill for the increase of vessels in the navy, to which he offered the following amendment: "*Provided*, That the said ships shall not be used to execute the Federal laws, or aid other land and naval forces in executing the Federal laws, in States claiming to be without the Federal jurisdiction," which amendment he supported in a brief speech.

During this speech he engaged in a colloquy with certain other members of the House, one of whom, Mr. Anderson, of Kentucky, remarked: "I say that I am still for the Union, and I ask the gentleman whether he is or not," to which Mr. Garnett replied: "I am in favor of the State of Virginia seceding from this Northern Union at the earliest possible moment." He argued that "this executing the laws, as you call it, is coercion, and coercion is war"; "and while the sands of life are still running for this Congress, the question of peace or war is in your hands."

Mr. Garnett was very right in his position. The Southern States that had already seceded held that they were *out of the Union*, and that the Federal Government had nothing more to do with them. They had withdrawn their ratification of the Federal Constitution,—as they had a perfect right to do,—and were now foreigners as far as the Federal Union was

concerned. Then was the time for the Virginia Convention to have withdrawn from the Union instead of talking for two months and then withdrawing *after* the policy of coercion had been determined upon. If Virginia and the other border States had *then* seceded, it is highly probable that there would have been no war, but their continual delay encouraged the Federal Government to think that they would not secede, and the policy of coercion was resolved upon. The firing upon Fort Sumter was *an act of self-defence*, but was seized upon as an excuse for a policy already decided on, and was used as a means of "firing the Northern heart," and of putting the South in a false position.

Mr. Garnett argued that, if the independence of the Confederate States were acknowledged, they might have peace, and might possibly keep the border slave States peaceably, but if not, Congress would inaugurate a war,—and *open* war, in which there was no doubt where the border States would stand. He repeated that he was in favor of the secession of Virginia, because he believed that it was "the best possible mode of preventing war and reconstructing a Union of equality." "But secession offers the best, if not the only chance for peace; and peace, the only hope of reconstruction." He concluded with the remark: "The Sibylline books are nearly destroyed. Only one-third remain, and they contain the issues of peace and war. Choose ye between them! We of the South desire peace, we desire friendship with you; but choose which you may, the people of the South, and their brethren on the Southern border—brethren in heart, if not in name, ay, and many brave lovers of justice in the North,—stand ready to meet you in the name of the God of battles and of our fathers."

The inaugural address of President Lincoln on March 4th, 1861, instead of allaying, only increased the apprehensions of war, which was finally declared by his proclamation of April 15th, calling for troops from each of the States. This caused the Virginia Convention to hesitate no longer, and the ordinance of secession was passed on April 17th, 1861.

The secession of Virginia compelled her Senators and Representatives to withdraw from the U. S. Congress, and Mr. Garnett retired at once.

As we have seen from the preceding speeches, he was in favor of the earlier secession of the State, but, as the majority of the Convention were Union men, they refused to take this action until troops were called for to coerce the seceding States,—a result that might have been foreseen,—when the State withdrew from the Union and cast her lot with the Confederate States. It is useless to speculate on what might have been, but the earlier secession of the border States might possibly have prevented war.

Virginia appointed as her representatives in the Provisional Congress of the Confederate States, then in session at Montgomery, Ala., the Hons. Robert M. T. Hunter, William C. Rives, John W. Brockenbrough, Waller R. Staples, and George D. Camden. Mr. Hunter presented the resolutions of the Virginia Convention, adopted April 27, 1861, inviting the authorities of the Confederate States to make Richmond the seat of government of the Confederacy, which invitation was duly accepted, and on June 1st Richmond became the capital of the Confederate States and so continued until the end.

On the resignation of Dr. R. H. Cox, the member of the Virginia Convention from the counties of Essex and King and Queen, Mr. Garnett was chosen to succeed him, and took his seat in the Convention on June 15th, 1861. (See *Journal of Virginia Convention of 1861*, p. 246.) On June 19th he submitted an ordinance to prohibit citizens of Virginia from holding office under the U. S. Government. His name appears frequently in the votes on different measures, and he served on several committees. He was appointed on June 21st on a committee on the expediency of districting the State into Congressional districts; on June 24th, on the Committee of Elections; on a committee to which were referred an ordinance and a substitute providing for the organization of volunteers for special service in the northwestern part of the State; and on June 28th, on a committee to authorize absent voters in the military service to vote at encampments.

The Convention took a recess from July 1 to Nov. 13, 1861. On Nov. 16, 1861, Mr. Garnett voted for Robert L. Montague as President of the Convention to fill the vacancy occasioned by the resignation of Hon. John Janney. On the same day he offered a resolution to consider the proposed amendments of the State Constitution, which was laid on the table.

After Nov. 19th, 1861, his name does not appear again as voting until Dec. 4th, probably on account of absence, and the Convention adjourned *sine die* Dec. 6th, 1861.

While he was not a member of the Convention when the ordinance of secession was passed, it is believed that he signed it later. We have seen that, in his speech in Congress of Feb. 20th, he had announced himself in favor of the secession of Virginia "at the earliest possible moment." He was not in favor of waiting until the inauguration of President Lincoln, for he knew that each day's delay only made more probable the coercion of the State. As stated above, unanimous action on the part of the South by Jan. 1st might have averted war, and even by Feb. 1st the North imagined that there would be no further secession, and that Virginia and the other border States would still cling to the Union. Little did they know the spirit of Virginia which was largely in favor of secession, except in the northwestern counties.

Mr. Garnett was elected in November, 1861, to represent the First Virginia District in the Confederate House of Representatives, and in the *Journal of the Confederate Congress* we find that on Feb. 21st, 1862, he qualified and took his seat. Also, Messrs. Pugh, of Alabama, Perkins, of Louisiana, and Garnett, of Virginia, were appointed on Oct. 2nd, 1862, a Committee of Conference on disagreeing votes of the two Houses, and later, on April 13th, 1863, Messrs. Kemmer, of Louisiana; Lyon, of Alabama, and Garnett, of Virginia, were appointed a similar Committee of Conference on the bill to lay taxes for the common defence; on Dec. 7th, 1863, Messrs. Garnett, of Virginia, Chilton, of Alabama, and Swan, of Tennessee, were appointed a committee to wait on the President, and notify him of the organization of Congress.

On Feb. 25th, 1862, Mr. Garnett was appointed on the Committee of Ways and Means, but on April 5th he moved that he be excused from serving on that committee, and on April 9th he was appointed on the Committee on Military Affairs.

He reported from that committee a bill to allow commutation for deficiencies in rations, which was duly passed; and later a bill to allow commutation for clothing to militia "in actual service of the Confederate States," which was amended and also passed. Later still he reported the same bill as amended by the Senate, changing the rate of commutation, and it was passed.

It is not known why he preferred service on the Committee on Military Affairs to that on the Committee of Ways and Means, considering his familiarity with the latter subjects, but the facts are given as stated in the *Journals*.

At the election in November, 1863, he was defeated for reelection by the Hon. Robert L. Montague, his opponent having received the soldier vote, which was preponderating, as a large portion of the First District was in the hands of the enemy.

He continued to serve during his term, but in January, 1864, while attending the Congress in Richmond, he was seized with typhoid fever, received leave of absence on account of sickness Feb. 1st, and died at "Elmwood" not long after reaching home, on Feb. 14th, 1864.

The following resolutions were offered in the House of Representatives by one of his colleagues, Mr. Lyon, of Virginia, and duly adopted:

"*Resolved*, That we have heard with deep sorrow of the death of the Hon. M. R. H. Garnett, a member of this House, distinguished for his learning, ability, and integrity, and in testimony of respect for his memory, we will wear the usual badge of mourning for thirty days.

"*Resolved*, That we tender to his bereaved widow our sincere sympathy in her suffering for the great loss which she and our country have sustained in the death of her distinguished husband.

"*Resolved*, That the Speaker of this House communicate a copy of these resolutions to the widow of the deceased-and to the Senate.

"*Resolved*, That, in further testimony of our respect for the memory of the deceased, this House will now adjourn."

The death of Mr. Garnett was announced in the Senate on Feb. 17th, 1864, by Mr. Dalton, and the following resolutions of Senator Caperton, of Virginia, were adopted:

"*Resolved*, That the Senate receives with sincere regret the announcement of the death of the Hon. Muscoe R. H. Garnett, late a member of the House of Representatives from the State of Virginia, and tenders to the relatives of the deceased the assurance of their sympathy with them under the bereavement they have been called to sustain.

"*Resolved*, That the Secretary of the Senate be directed to transmit to the family of Mr. Garnett a certified copy of the foregoing resolution."

Mr. Garnett's remains were interred in the family graveyard at "Elmwood."

A portrait of him, presented by his daughter, Miss Mary B. P. Garnett, was unveiled in the Court House of Essex county at Tappahannock, on June 20th, 1898, on which occasion an address was delivered by his first cousin, Judge Theodore S. Garnett, of Norfolk, Virginia, commemorative of him, and of his uncle, Hon. R. M. T. Hunter. (See *Southern Historical Society Papers*, Vol. XXVII., 1899.)

These portraits hang on the walls of the Court-room alongside of many other portraits of members of the Garnett family and other worthies of Essex county*

The reviews and addresses, the reports and speeches, referred to above, give illustrations of the character of Mr.

* This custom of thus adorning the walls of the Court Houses in the several counties of his judicial district was inaugurated by Judge T. R. B. Wright, of Tappahannock, to preserve the memory of prominent men of the respective counties, and it deserves to be followed in every county in the State.

Garnett's mind and of his favorite studies. Like many other Virginia country gentlemen, he devoted his leisure to the study of history, literature, and political science, of all of which he was very fond, and having based his studies on a thorough private school, academic, and legal education, he became expert in these subjects. Few young men have ever qualified themselves so thoroughly for a political career, using the word "political" in its highest sense. His countrymen early appreciated his abilities and culture, sending him first to the Constitutional Convention of 1850, then to the State Legislature, and, as soon as a vacancy occurred, to the United States,—and after the secession of Virginia,—to the Confederate States House of Representatives. The highest political honors in the gift of his State were within his reach, and with the example of his distinguished uncle before him, it was reasonable to expect that he too would have represented the State in the Senate.

His abilities were pre-eminent, and his qualifications extraordinary, as acknowledged by all with whom he came in contact. Though but of medium stature, his personal appearance was exceedingly attractive. With light hair, almost white, blond complexion, bluish eyes, and clear-cut, regular and refined features, and a massive head in proportion to his size, showing great intellectual power, he would have attracted attention in any company. His disposition was gentle, and his temper quick, but under easy control. Having been trained at home until he went to college, he was very fond of domestic life, and was the companion of his widowed mother until he entered upon political life, the affection and intimacy that existed between the two being much greater than is usual between mother and son. This is remarkably illustrated in a series of letters that have been preserved, but the correspondence is of too intimate a character to allow of quotations. His married life was very happy, but of short duration, extending over but little more than three and a half years. Dying at the early age of forty-two, he had already distinguished himself in his short public life, and had attained a reputation

second to but few in his State. An ardent Virginian and a strong Southerner, he showed on all public occasions his devotion to Virginia and the South, and did not hesitate to throw himself into the fray in defence of Southern principles. As may be seen from his speeches in Congress, he believed thoroughly in the right of secession, and thought, in the winter of 1861, that the time had arrived for the exercise of it. Like most public men of his time, he thought the subjugation of the South impossible, notwithstanding the inequality in numbers of men and resources. It is bootless to inquire into the causes of that subjugation; it is sufficiently explained by the words of the great leader of the Southern army, "Overwhelming numbers and resources," and if we still push the inquiry one step further, we may say that the stringent blockade prevented the South from increasing those numbers and resources, and consequently from decreasing the inequality of four to one in the former and of at least ten to one in the latter.

APPENDIX

PRELIMINARY NOTE.

The following extracts from the writings of the Hon. Muscoe R. H. Garnett, of Virginia, have been added to the "Biographical Sketch," which has appeared in the *William and Mary College Quarterly Historical Magazine* for July and October, 1909, (Vol. XVIII., Nos. 1 and 2), that those who read the sketch may have examples of his mental powers and oratorical ability. I think that they will agree with the writer that he was one of the ablest and most highly cultivated young men that the State has ever produced.

His Alumni Oration, his pamphlet on "The Union: Past and Future," his speech in the Virginia Convention of 1850 on the Basis Question, his Financial Report to the Virginia Legislature, 1856, and his speeches in Congress, 1856-'61, are good illustrations of his varied powers and his well-trained mind, in dealing with financial and political questions. His early death in the 44th year of his age was a great loss to his State.

The writer is greatly indebted to William Baird, Esq., P. Stephen Hunter, Esq., and Hon. T. R. B. Wright, of Essex County, Va., for material used in the preparation of this sketch.

J. M. G.

December 20, 1909.

FROM ORATION BEFORE THE SOCIETY OF ALUMNI OF THE
UNIVERSITY OF VIRGINIA.

A few extracts from the Alumni address will show his point of view. He says (p. 26) :

"I assert, without fear of successful contradiction, that what America has done best, and what will exert the largest influence on other countries and posterity, is in political literature, and that is almost exclusively the work of Southern minds. It is true that some Northern critics have cooked over the old dishes of the schools about aristocracy, democracy, and monarchy, and the notions which the liberal thinkers of the last century made commonplaces; and it is evidently on such food that Northern statesmen have been reared; all that is deep, and original, and vital, in American politics is Southern. You will feel the difference sensibly if you compare the writings of the elder Adams with those of his great rival, Jefferson, or with Taylor's.¹ And who is worthy to be named in the same breath with the transcendent Carolinian we still mourn, and on whose imperishable glory Death has placed his seal. No speeches were so widely or so eagerly read on their first appearance as his, for all felt them to be the final word on his side of every great question; but still more earnestly will they be studied by future ages, for they are not wholly disjointed members of a great body of political philosophy, which the world has rarely seen equalled, and never surpassed. And if the South has done but little in other departments of literature, it is that she there missed the stimulus which the Constitution has hitherto secured to her slaveholders in politics. It would seem that studies not immediately connected with our practical interests, need the stimulus

¹ John Taylor, of Caroline County, Virginia, author of "New Views of the Constitution," "Construction Construed," "Tyranny Unmasked," "Arator," and others.

afforded by concentrated wealth, concentrated either by the patronage of a central government, which, as in imperial Rome or France, makes an imitative literature; or in the hands of individuals, and by the patronage of rival institutions and centres of activity, which creates an original literature, as in Greece, Germany and England. Now, this stimulus the South has entirely wanted. It is true, there is a greater degree of physical well-being amongst her population, and a higher average of wealth amongst her whites, than in any other part of the world, but the habits of her people require many things as necessities, which are elsewhere regarded as luxuries, and this high standard of comfort diminishes the surplus which is destined to purchase the refined elegancies of life, and to support literature and the arts. Yet this surplus would have been ample, and though we have no such overgrown fortunes as Astor's or Girard's to spare out of their abundance to letters, yet we might have concentrated our means to great literary advantage by voluntary associations, had not even this surplus been exhausted by the course of Federal taxation and legislation, by which we have lost the use of an average amount, since 1790, of seventy-odd millions of dollars of our commerce, and at the same time paid in taxes a tribute averaging some fourteen millions of dollars per annum, to be spent at the North. And with the ability to encourage our own literature, we began to lose the desire—to lose that faith in ourselves and our duties, and our own institutions, without which no nation has ever accomplished anything great.

The origin of this feeling goes far back; the Revolution found us with entails, primogeniture, and an established church, and also with their natural consequence, a well-educated class, of whom our Wythes, Pendletons, and Masons, our Madisons, Jeffersons, and Randolphs, were the representatives—men whose minds were trained to such soundness of judgment that they could see the injustice, and the invidious distinctions of the system they grew up under, and be the first to abolish it. But in escaping the

evils of the system, we lost the advantages it conferred, for no system of education adapted to the new order of things took its place."

This, in his opinion, made the next generation greatly inferior to their fathers in learning, and "Mr. Jefferson saw this danger, and designed the University to avert it." He continues (p. 28): "When our illustrious Jefferson founded this University, he laid the axe at the root of the Upas tree of self-distrust. He struck the rock in the desert, and instead of the waters of bitterness we had quaffed, there gushed forth, in these Virginia mountains, plentiful streams of sweet waters, where all the tribes of our Southern Israel might quench their thirst. The University was on a new plan; it was an original selection and revival of all the best features of ancient institutions adapted to the wants of our age and country. No Procrustean bed was devised for every mind, where, as in the Northern colleges, no matter what the need, or object, all are subjected to the same discipline and instruction. One of its chief characteristics was the choice left the student of the schools he would attend, and the partial dependence of the professors on fees. The same principle was observed in the great seminaries of learning that illuminated the middle ages, Oxford and Paris, Bologna and Salamanca. It still distinguishes the schools that have made modern Germany almost the Attica of Europe. The whole course and spirit of instruction was changed; it was capable of an expansion as infinite as the name, *University*, implies; it was designed to be no mere smattering of infinitesimal doses of the classics, and mathematics, and philosophy, but whatever was taught was to be taught thoroughly. Jefferson framed the discipline to rely upon the principles of honor, and self-command, and good faith, so as to make gentlemen; he founded the luminous tuition, so as to make philosophic scholars; he combined both to make statesmen and accomplished men of the world. Already the good effects are seen. Our University at this, its twenty-fifth anniversary, has just attained her majority

according to the civil law, yet her sons are found in the highest offices of our country. They are seen in the Senate and the House of Representatives; they throng in our Legislature; they govern sovereign States; they shine in the pulpit and at the bar; they are professors in our colleges and teachers in our schools. There are academies now, in this and other States, founded and taught by graduates of this University, which supply a better education than could be had twenty-five years since at any college in the Union, and which can be surpassed by few now. These academies will in their turn aid the University in training an army of teachers for primary schools. Our State will thus establish a great system of popular education on the only plan consistent with the principles of free government and the rights of private property. She will aid in educating the teachers, leaving their employment to be determined by that voluntary principle which she has already applied to religious instruction."

Continuing the same line of thought, he says (p. 30): "Let us keep clear of centralization, of the meddling interference of what are called paternal governments. Let us give government as little, and leave as much as possible for the people, to do, for it will be infinitely better done. Remove the weights from their energies, and they will soon cover the State with a network of roads and canals; they will use her coal and her water-power; they will disembowel the earth of her minerals, and above all, they will improve her agriculture. By these means you will lay the foundations of as high a culture for your citizens as the world has ever seen. If the elements of wealth are abundant, equally great are the social advantages. We are about to make a new Constitution. We have no occasion to go abroad for models; or to import a ready-made structure of Yankee notions, just as you would a house. No! let us build upon the rocky foundations of old Virginia customs, and enlarge upon old Virginia models. Let us cautiously remove abuses, and breathe new life and vigor into the many wise

institutions our ancestors have left us. We are not entirely without the Athenian elements of education. In the numerous political debates, which the habits of our people require, we have our Pnyx and our Ecclesia; in the free religious assemblies, where our laity are admitted on an equality with the clergy, in our juries and county courts, we have so many local legislatures and tribunals which are to us what his councils and his juries (his *Boulai* and *Heliaca*) were to the Athenian. In the sessions of our Legislature, and high salaries to our State officers, we have the means of counteracting those influences of the Federal patronage which draw off all our best talent from the immediate service of the State, which direct the popular attention to Federal opinion for its guide, and tend to centralize all power at Washington. In our University let us have our Lyceum and Academy; let us devote ourselves to realizing the plan of its founder; let us multiply its means of instruction and its schools; let us make it the nucleus of our literary societies, and of our literary activity. Gather in these halls all the treasured wisdom of the past; here guides, learned as the Sybil in all the mysteries of the spiritual world, may conduct the youth of the State through the Elysian fields of a vast Library, and teach them to question the shades of the departed mighty on the problems of the Future."

The concluding paragraph of this address is but the culmination of its patriotic burden (p. 36): "Let us add to the honors of the proud mother of States and statesmen the noble title of Mother of Letters. Her shield shows that, on this day, seventy-four years since, she transfixed the tyrant to the earth; her device, *Sic semper Tyrannis*, proclaims that eternal in her breast, *alta mente repositum*, lives the stern spirit of resistance to all outrage on her rights or her honor. Let the future prove that she knows how to create, as well as to destroy; to elevate her citizens, while she crushes her foes. Methinks, in the prosperity of this University, in the awakening spirit of the people, in the

roused energies of the whole South, I see the day-spring breaking upon our literary sky; I see its dawn casting a rosy blush upon the murky clouds of our horizon, and a silvery veil over the mists that steal up from wood and stream; and soon shall the bright sun of Southern genius, uprising, change the darkness of our waters into the shining of burning gold, while the matin songs of our poets shall hymn his welcome. When Pericles had placed before the Athenians all the reasons they had to love and value their country, and shown to what pitch of greatness she might be raised, if they would act worthily of her and of themselves, he thought that he could sum up all—the fame of the past, the glory of the future, the duties of the present,—in one word, by saying that Athens was the School of Greece. Let us, I beseech you, gentlemen, apply that one word to ourselves. Here, in these walls, may Virginia continue to educate the Southern youth, here may she bind their affections to the land of their ancestors, and hence send them out as missionaries of her principles! May her genius build up a new Parthenon of letters on this Acropolis! Long, long may the old Mother Commonwealth hold high festival on this anniversary of her Independence; long may she assemble her daughters at these, her yearly Panathenaea; long may she be the leader, the model, and THE SCHOOL OF THE SOUTH,—of that South, which, by her noble people, her wise institutions, her future glorious literature, is destined some day to be the SCHOOL OF THE WORLD."

FROM HIS PAMPHLET ON "THE UNION, PAST AND FUTURE."

The author refers in this pamphlet to the sacrifices made by the Southern States, Virginia especially, "for the sake of the Union," as in the case of the cession of the Northwest Territory, "an act of grosser fatuity," as Randolph said, "than ever poor old Lear or the Knight of La Mancha was guilty of," and the Missouri Compromise, quoting Randolph again, made under the influence of a "politico-religious fanaticism," which "has insinuated itself

wherever it can to the disturbance of the public peace, the loosening of the keystone of the Constitution, and the undermining of the foundation on which the arch of our Union rests."

"In vain did Randolph say to the South, '*principiis obsta*,'—in vain did his shrill Cassandra tones point out the nature of the attack, that the enemy was proceeding, 'not to storm the fort, but to sap'; that we ought to remember the sentiment, '*non vi sed sacpe cadendo*,' and 'permit no attack to pass, no matter in how demure and apparently trivial an aspect it may be presented.' "

So with respect to the abolition petitions, and the opposition to the return of fugitive slaves, which Governor Marcy, of New York, in 1836, acknowledged to be one of "the sacred obligations which the States owe to each other as members of the Federal Union." Further, the propositions to exclude the South from the territory of California and New Mexico, and to abolish slavery in the District of Columbia, which last would be so detrimental to the interests of both Virginia and Maryland. "The Northern vote in Congress on these questions is almost unanimous without distinction of parties, against the South." So, even at this time, Northern aggression was progressing to the abolition of slavery within the States, for, to quote Randolph once more, "'Fanaticism, political or religious, has no stopping-place short of Heaven, or of—Hell!'"

FROM REPLY TO REVIEW OF THE PAMPHLET BY MR. E. H. DERBY.

This pamphlet was reviewed by Mr. E. H. Derby, of Massachusetts, in the October, 1850, number of *Hunt's Merchants' Magazine and Commercial Review*, and this review was replied to by Mr. Garnett in the number of *Hunt's Magazine* for April, 1851. After replying at length to Mr. Derby's criticisms and sustaining the views expressed in his pamphlet, Mr. Garnett concludes:

"With Mr. Derby's permission, I will suggest the true conditions of harmonious Union. Let the North cultivate a friendly feeling towards the South, and try to understand her institutions. Let her remember that Caucasians and Negroes are of different races; that they can never amalgamate; that it is absurd to talk of transporting either across the seas; and that while several millions of each live together at the South, the best possible relation for both which can exist between them, is that of master and slave. Let the North, therefore, cease to regard slavery as such an evil and reproach, and let her recollect that she is in no manner responsible for institutions of other sovereign States. She may then cease to direct all the moral power of her press, her pulpit, and her Senates, to the destruction of the dearest right of the Southern people—their domestic peace. Let both sections, the North and the South, recognize the great principle of the equality and sovereignty of the States, whether slave labor or hireling, and open the common territory equally to both. Let the Federal Government be closely confined to its few duties and powers, as defined by the letter of its charter; and let us equalize the burdens of taxation by free trade, economy, retrenchment, and a strict adherence to the Constitution.

"If such proposals as these seem ridiculous, it must be because the Constitution is a dead letter, and actual despotism, wielded by a sectional majority, threatens to usurp the place of the simple, but glorious confederacy of sovereign republics. If the latter be the Union for which Mr. Derby prays, *esto perpetua*, I join in the prayer; but if the former, I would cry, woe to it! or still greater woes await the country which tamely submits to its oppressive tyranny!

"The reviewer tells us that the fanatical abolitionists are comparatively few and harmless; I am glad to believe it. But the true danger is from men like Mr. Derby himself, who are continually talking of the evils of slavery, and strengthening the moral sentiment of the Northern people

against it. This moral sentiment, this 'spirit of the age,' as Mr. Derby calls it, must constantly force its way into legislation, in a Democratic age and country like ours. And this result becomes more certain, as the consolidation of all powers in the Federal Government fosters the feeling of the Northern people that they are responsible for slavery, and all the other institutions of the country. The true enemies of the Union are those who so 'ardently desire to alleviate slavery, and promote its eventual extinction.' They are kindling a fire which they will be unable to extinguish, and before they are aware of the danger, the Union will perish in the flames. Its true friends are those who stand by the Constitution, and manfully defend their rights. The Union was founded on the basis of political equality, and independence, and domestic peace amongst its members; and on this basis alone can it be preserved."

FROM SPEECH ON THE BASIS QUESTION.

"Speech of M. R. H. Garnett, Esq., of Essex County, in Committee of the Whole, on the Basis Question, delivered in the Virginia Reform Convention, on Monday, April 14, 1851.

Richmond, Va., 1851."

In discussing this question, Mr. Garnett drew arguments from the Constitutions of other States, and from modern and ancient history, with which he was perfectly familiar. He said (p. 10): "Like Georgia and North Carolina, South Carolina has apportioned representation in the two Houses of her Legislature upon a different basis. The Senate is arranged upon a purely arbitrary territorial basis, which cannot be changed except by an amendment of the Constitution. The House is arranged upon our mixed basis. Now, the effect of this combination is to give to the eastern or tide-water section of the State a majority in the Senate, which remains fixed without regard to the changes of population and property. On the other hand, the mixed basis

gives the majority in the House to the western portion of the State, and it is one of its recommendations that, if any county or section is overtaxed for one decade, it thereby becomes entitled, in the next ten years, to an overshare of representation, so as to increase its power to correct this excess of taxation. It is a self-adjusting machine. And in taking the average of taxes for ten years, it not only secures representation from accidental variations of taxation, but it furnishes security that the majority will not use the taxing power to increase the future representation of its section. The Constitution of South Carolina is thus arranged upon the very principle which I have before advocated as true; that is to say, it requires the concurrent assent of the two great interests to the passage of any law. It gives the political power, not to the numerical majority, but to the *concurrent majority*. I think, at a different stage of this debate, the gentleman from Accomac (Mr. Wise), whose absence I regret, stated in answer to the gentleman from Fauquier (Mr. Scott), that the opinions of Mr. Calhoun were adverse to the mixed basis. Now, I have in my possession a letter which Mr. Calhoun published in 1846, in reference to this subject, explaining the character and history of the Constitution of South Carolina, and discussing this whole question. It will be found that he strongly commends the mixed basis, partly upon such considerations as I have urged, while he regards the principle of what he calls *concurrent majorities* as the true basis for our State governments.

If you refer to the history of other countries for authority, you will obtain similar results; look, for instance, to the French revolution of 1789. The first French constitution, that of 1791, framed by the national Assembly, apportioned representation among the different departments of France upon a combined basis of territory, taxation and population. The gentleman from Berkeley (Mr. Faulkner) quoted from Burke's criticism upon this constitution, in support of his argument against the mixed basis. It surprised me that

the gentleman should cite Burke on his side of the question, when Burke's very objection was that he considered that no one immutable and fixed rule could be applicable to all governments at all times and in all places. Why, sir, he even tells us that property must be "predominant in representation" to be rightly protected. No man could have been more utterly opposed to a basis of mere numbers than Mr. Burke; no man reprobated more eloquently such doctrines as are avowed by the party of which the gentleman from Berkeley is a distinguished member.

My friend from Accomac (Mr. Wise) referred to the same French constitution as leading to all the horrors of the French revolution—to its desecration of the altars and its Saturnalia of blood. He truly astonished me by such a reference. Did he forget that whatever good sprung out of the French revolution was the work of the National Assembly, which adopted that mixed basis constitution? The whole system of equal civil rights, of civil liberty in France, arose from the liberal legislation of the National Assembly. And has the gentleman forgotten that the very moment the party which advocated the national right of the mere numerical majority to govern, obtained the ascendancy, they abolished the mixed basis, and provided by the constitution of 1793 that representation should be based upon population alone. That was the doctrine of Robespierre and his followers, the constitution-makers, the Anacharsis-Clotztes,¹ and the "orators of the human race" in that day. So far did they carry their principle, that they provided that the legislature should consist only of a single branch, so that there should not be even a chance of a minority checking a majority through another House, or by an executive veto. And the principle led to its natural consequence—the Reign of Terror! Why, if it were fully carried out in this country, without the restraints of the Federal Government and the conservative influence of slave

¹ See *Encyclopaedia Britannica*, s. v. Clotz.

institutions, we would have like scenes of horror occurring here. Truly, if theory and practice always went together, the debates we have listened to in this Convention might well excite our apprehensions for the safety of our social system, and our constitutional freedom. They have almost made me fear I had overrated the power of the conservative influences to which I before alluded. When I have seen gentlemen, time and again, looking up to the galleries for applause, in the course of their arguments, and have even heard them appealing to the spectators to know whether certain constituencies would tolerate the opinions avowed by the other party, and have heard those galleries responding to the call, I could not but remember the National Assembly of France, when the mountain called upon the mob to overpower the conservative portion of that body; I could almost fancy myself on the eve of those days, when neither life, liberty, property, nor the pursuit of happiness, found any protection from government. Ah! this numerical majority, to which, you tell me, God gave a natural right to rule, then perpetrated crimes which filled the whole earth with their horror. It used its sovereignty to massacre the wretched victims in its prisons, and vindicated its authority by covering the rivers of France with the bodies of her murdered women and children.

Let gentlemen once succeed in making the poor of this country believe that their interests are directly opposed to those of the rich, and that they are oppressed by a tyrannical aristocracy of slaveholders; once tolerate the principle that the mere numerical majority is to dispose, at its pleasure, of all the interests of society, and all the rights of individuals; that it is to be the sole judge of the extent of its own powers, and is to be restrained in the gratification of its passions only by its sense of justice,—and the whole fabric of your civilization is undermined!"

Mr. Garnett drew illustrations also from the history of Athens and of the Roman republic, and continued:

"Where there are separate interests, legislation by any one will be for its own benefit, to the injury of the rest. To be just, and for the benefit of the whole, it must be by the consent of all. Now, in most countries there is a natural and necessary diversity of interests in the parts, resulting from geographical as well as social and other causes. In Virginia and all the Southern Atlantic States, such a diversity grows out of the physical structure. The Blue Ridge and the Alleghany mountains run parallel to the seacoast, and at a considerable distance from it in all these States, and that geographical fact creates a natural difference of interest. Survey your great State of Virginia, and all the complex varieties of its domain, from its extreme verge, where the blue waters of our western Rhine rush past their green banks to bear the teeming commerce of the Trans-Alleghany basin to the Father of Waters. Behold the Southwest! Its fertile valley, flanked by mountain walls filled with mineral treasures, a great natural highway from the Atlantic border to the Mississippi and the Pacific coast! Or look down upon those Alleghany chains, rising, range after range, like the furrowed surface of some troubled sea—those innumerable herds of cattle, pasturing on a thousand verdant hills—those rich bottoms sunk down with the abundance of their fatness.' Or descend from the Blue Ridge along that slope which we call the Piedmont. Gaze upon its rolling lands, its forests, and its champaigns, all sending down the fair fruits of their agricultural toil, gathering from every quarter, in a growing current like the rills and streams from their own hills, swiftly and at once, towards the Tide-water, that ancient seat of our race, the true Old Dominion, where Virginia sits enthroned upon her many waters,—that Tide-water whose highways are mighty rivers, and whose fields were designed by Nature for blooming gardens,—that Tide-water of which our forefathers exclaimed in rapture, as for the first time they ascended the majestic Powhatan, and gazed on its green savannahs and its forests, bursting into leaf and flower in all the radiant glory of

the new-born Spring, that surely Heaven and Earth seemed never to have agreed better to form a commodious and delightful habitation for man.

“Shall we bid defiance to all these differences of soil and structure? Shall we forget the consequent diversities of occupation, of character, of interest and of population? Shall we vainly strive against the decrees of Providence itself stamped upon the face of Nature? You tell me that your public works, your puny borings, tunnellings, and cuttings through the eternal hills of granite, nay, that your paper constitution is to obliterate all sectional lines, and level the Blue Ridge itself! The world has heard monarchs boast before that the Pyrenees were levelled, but the Pyrenees still stand; and so long as that Ridge lifts its blue summits into the azure of Heaven, so long will these divisions and diversities remain, so long will the constitution proclaimed by Nature set at naught your paltry efforts.

You may *unite* the sections of our State, you can never *identify* them. Your attempt to consolidate them into a homogeneous whole by making one geographical interest supreme over the rest, will only aggravate and embitter the difference. Strip it of all its disguises, and it is a sectional despotism which you are seeking to create. You may secure the seeming uniformity of such a government, but how opposite is that to the harmony of a free and equal union of all the interests of the State? Look at Virginia—not as you may wish or fancy it, not as a Utopia, a field for the trial of your experiments and theories, but as it actually is, and make your constitution the faithful reflection of nature. Here ‘you possess’—let me apply to your condition the words of a great man on another occasion—‘you possess that variety of parts corresponding with the various descriptions of which your community is happily composed. You have all that combination, and all that opposition of interests, you have that action and counter-action, which, in the natural and political world, from the reciprocal struggle of discordant power, draws out the harmony of the universe.’

"These opposed and conflicting interests, which you consider as so great a blemish in our old and present constitutions, interpose a salutary check on all precipitate resolutions. They render deliberation a matter, not of choice, but of necessity; they make all change a subject of compromise, which naturally begets moderation, and under all the headlong exertions of arbitrary power in the few or in the many, forever impracticable."

Mr. Garnett continued further: "And, sir, if I support what is called the mixed basis upon this occasion, it is not as my first choice. I believe, myself, in a system of representation founded upon the history and geography of the country, in what is called an arbitrary system of representation—one springing out of the interests and the wants of the community. I support this mixed basis because it comes nearer to such a system than the white basis. It comes nearer because, as I have said before, it does not confine itself to the consideration of man simply in his capacity to be numbered. It does not commit the absurdity of supposing that all men are perfectly alike in interest and character. It considers man in another important element of his existence. It regards property and adapts its representation in some measure to the different conditions of that property and its relations to society. Since this discussion commenced, sir, we have been told by the advocates of the white basis that property is the creation of government and that the powers of government belong, by natural and indefeasible right, to the numerical majority. The inevitable conclusion, then, is that the numerical majority, has the absolute control over property, its creature, and may abolish any or all kinds of it when it pleases.

"Now, sir, I entirely repudiate such doctrine. Our bill of rights classes the right to property among our natural rights. Property is not the creature of government, but one of its primordial elements. It is coeval with society and political organization,—all spring from the necessities and the irresistible instincts of our moral nature, implanted

by the Creator himself. What is property? It is that portion of the surrounding world which each man has been able to conquer to his use by his industry, his reason, and his will. It is the indispensable condition of life to the individual, and of civilization to society. What is man's condition without it? He comes into the world

—————*infans indigus omni*
Vitali auxilio;

[Lucretius V. 223-4.]

he is cast upon the earth, as the old jurist describes it, *nudus in nudum*. By the accumulations of those who have preceded him, by the institution of hereditary property, his existence is preserved, and his faculties, bodily and mental, nourished until he is able to protect himself. And if he then acquires property for himself, it must be by the application of his labor to the capital which others have created before him. The necessary instruments of his toil he owes to the institution of property. Without property, man could never have accomplished the wonders with which he has filled the habitable globe. And the whole property of the country is but the material representation of the reason and will of its past and present generations. Property is interwoven through the whole social fabric, and enters into and modifies all the relations of men to each other. Its different kinds and quantities are not an unfair exponent of the different interests, wants, and character of the various parts of a State. The property of Virginia has grown out of her natural condition and her history, and it has modified both. By its mutations, you mark the progress of those mighty changes which it was the means, in the hands of our ancestors, of effecting. Three centuries since, our country was covered by dense primeval forests, whose silence was rarely broken by a human voice; and now thousands of household lights cheer the darkness of night from every eastern hill, and in every mountain valley, and near these household fires have arisen the altars of our God.

And around these hearths and altars have gathered our children and our slaves, our herds and our crops, the metes and bounds, the fences and landmarks of our property. And the whole represents the industrious toil, the talents, and the energies and virtues of the communities which own it, whose affections and thoughts are infinitely complicated with it, and the very manner of whose existence it modifies and determines. The foundations of this property, of these monuments of industry, were laid by our ancestors, and we guard and add to it, not merely for ourselves, but for the posterity to whom we hope to deliver it. In its perpetual increase and hereditary transmission, we have visibly before us one of the strongest of the bonds which draw together and cement into one all the generations of man, the past, the present, and the future. How narrow must be a scheme of representation which wholly overlooks this mighty element of society, as one of the just measures of the interests and necessities of its parts! How unwise and unjust would be your government, which regards man only as an abstraction and forgets the vast development of his nature manifested and realized in property. And such is your basis of mere numbers. On the contrary, the mixed basis which I advocate, by combining with the element of population the additional element of property as measured by its contributions to government, furnishes a rule which must obviously make representation a truer reflection of all the interests of society."

In the latter part of his address, Mr. Garnett discusses the internal improvements that have been made for the benefit of the western portion of the State, and in consequence of which a huge public debt was piled up. He also discusses the threatened division of the State by the western portion, from which we see that ten years before the Civil War, a division of the State was foreshadowed, if the West did not get what it wanted. He concludes his speech as follows:

"But I trust, sir, that such a catastrophe may be averted, and when the heat of the discussion has subsided, calmer, wiser counsels may succeed. God forbid that a foreign flag should ever wave over any portion of the soil of Virginia! Let us preserve her, one and indivisible, in all her ancient glory. But it cannot be done by this principle of consolidation and socialism, which you are attempting to introduce into our government. It cannot be done by this surrender of the interests of the minority into the hands of the mere numerical majority, by thus binding one section hand and foot, and delivering it over to the tender mercies of the other. All our ills cannot be cured by continually crying to us, white basis! white basis! This white basis seems to be a sort of panacea in the eyes of some gentlemen. No evil under the sun can be named which it will not cure. Whatever may be the subject of discussion, the same cry of white basis perpetually recurs. It reminds me of the verse:

'Abra was present ere I called her name,

And when I called another, Abra came.'

—Prior's "*Solomon*."

"The present is a contest between the opposite principles of consolidation on the one hand, and individualism on the other. It is a contest of individual rights against despotism of all kinds, whether they be despotic kings or despotic numbers—freedom against absolute government—the sovereign rights of the individual against the despotic rule of the mere numerical majority. It is a question whether fanciful theories shall overrule experience and become the basis of our Constitution—whether the numerical majority shall absorb all the powers of the community, shall define what constitutes the highest degree of civilization, shall dictate to every man the aims and course of his life, and shall then relieve him of all moral responsibility by undertaking to provide for all his wants at the expense of the rest of society. This controversy is going on through-

out the whole world. Ours is but one phase of it, not so portentous as in other countries, on account of the peculiar influences existing here. but the principle is the same. It is the anti-republican principle of the pure, absolute democracy of mere numbers, which has everywhere begotten socialism, and as such, in the name of freedom, I utterly abhor and abjure it. No such principle as this was brought by our ancestors to Jamestown, as the gentleman from Kanawha (Mr. Summers) seemed to imagine; but from the season when the first log cabins were raised at old Jamestown to the present day, Virginia has lived under a government organized by our republican fathers on entirely different principles—on the principles of individual rights, of protection and security to all—a government, not for the greatest good of the greatest number, but for the greatest good of each and all. The lesser number was not sacrificed to the greater, but both were equally protected. The objects and powers of government were few and simple; individual freedom was enlarged, and every man was left to achieve his happiness according to his own views and in his own way. Dependent on his own resources, looking to the charity neither of society nor of government, but trusting to God alone for help, man became the noble, independent being he was intended for, and all his faculties and talents were exercised and developed.

“In such principles have been the strength and glory of Virginia. They have been illustrated not only in her domestic, but in her federal policy, and not merely there, but in the great men whom she has given to immortal renown. When our ancestors sought this country, they imagined that the empire they were founding would extend from ocean to ocean, and that the waves of the southern Pacific would alone terminate their dominion. In this they were mistaken. Their territory was not so extensive as they hoped; but they founded an empire of ideas—of the true principles of government,—which extended still further, which has

stretched not only from sea to sea, but throughout the world, and has won a fame that shall never die. And in this sense they truly founded the 'Old Dominion,' an

'Imperium Occano, famam qui terminet astris.'"

[Virgil, *Æneid*, l. 287.]

These quotations have been made at length because of the importance of this speech, and the fact that the copy from which they are made is the only copy known to be in existence.

FROM FINANCIAL REPORT TO VIRGINIA LEGISLATURE OF 1856.

The following extracts from this Financial Report to the House of Delegates will show the principles on which Mr. Garnett thought the finances of the State should be managed, and his views on that subject. He says: "The first principle of a sound financial system is to provide for the ordinary and regular necessities of the year by taxation within the year. Public debt ought never to be incurred except for the public defence in war, or for extraordinary public works, which are finished once and forever and are to yield their returns in future years." The details of this Report would not now be of interest, but where principles are involved, it is illustrative of his character and ability to state his views. On the sale of the bank stocks owned by the State he says: "If the proposed sale of our bank stocks is judicious in a financial aspect, it is still more to be recommended in a political point of view. It is, indeed, absurd for a Commonwealth, which is perpetually seeking to borrow money, to undertake to lend it to the merchants and manufacturers of the State; yet such is Virginia's position as a stockholder. It is wholly inconsistent with all sound political principles, especially as taught in the Old Virginia School, for a State to become a partner in commercial enterprises, or to go beyond the legitimate functions of government. The connection with the bank deprives the State of all effective power over the currency, for her interest paralyzes every effort at control or reform, and is continually

invoked to protect the abuses of banking. Her directors represent only the stockholders' feeling, and are useless, except as their appointment affords political patronage. Her great visitorial and inquisitorial powers slumber, while the protest, that there are State directors in the bank, is used to prevent inquiry. Nor is this all; a constant fear and danger that the dominant political party may increase the State directory, and convert the banks into political machines, keeps down the value of the stock. There is just ground for such fears, while the State remains in partnership with the banks. For there are many in every party who care more for spoils than measures, and still more, who confide for success rather to patronage and corruption than to the innate power of truth. Should such opinions prevail, and subject the banks and internal improvement companies to political control, and convert them into political machines, we may expect commercial and financial disasters, and what is far worse, deep political corruption and profligacy. Let us then, in time, sever this unnatural and dangerous union of bank and State, leave business and currency to the control of the laws of business and currency, and we shall have achieved an immense good for our State.

"Your committee, therefore, earnestly recommends a sale of the bank stocks."

The same reasoning will apply to canals and railroads as to banks; the State should keep clear of all such entanglements.

Finally, Mr. Garnett states what the committee proposed, and that they were aware how far they had fallen short of what they proposed. He says:

"In commencing their labors, your committee proposed to themselves to reform the complications and obscurities of our present fiscal affairs; to make them so simple and clear as to be intelligible to everybody, and thus increase the responsibility of their guardians to public opinion; to check the great and growing abuses in the management of our credit and loans, by remodeling that department of government; to increase the resources of the treasury by a more faithful assess-

ment of the vast property of the State, a diminution in the expenses of collection, and the exaction of interest from the corporations, who are the Commonwealth's beneficiaries and debtors; to adjust the receipts through the year to the expenditures; to enforce prompt payments by the collectors, and establish regularity in the fiscal operations; to cover the present deficiency by taxation, and yet to distribute the burden so as not to press too hardly on the community; to restore the balance of receipts and expenditures, and place the redemption of all our engagements beyond a possible doubt, by honest and adequate taxation; to reduce the public debt, and pay off, in a moderate time, all that existed before the new Constitution; to separate the banks from the State so as to purify both, and remove every political obstacle from the restoration of our currency.

"Such was the large field for your committee to labour in. They are aware how far the result falls short of their wishes; but they have deeply felt the responsibilities of their position in this critical period; and they will be more than rewarded for all their toil and anxious thought, if aught of success has crowned their earnest endeavors in the discharge of their duties. No true Virginian can be insensible to the hazard of any imputation on her honour. It has never been stained by any delay in fulfilling her promises, and it never shall be. When a few months have past, the disorder in her finances corrected, and her affairs settled on a surer foundation, her credit will recover, and assume a higher rank in the markets of the world."

This shows the views of a "true Virginian," endorsed by the Committee of Finance of the House of Delegates, as to how the finances of the State should be managed, and as to how the credit of the State should be restored to its former high position—good Democratic doctrine conducive to the welfare of the Commonwealth.

FROM COLLOQUY IN CONGRESS.

Engaging in a colloquy with the chairman of the Committee on Ways and Means [Mr. CAMPBELL of Ohio], he re-

marks: "Sir, when that gentleman, and those who think with him, are legislating for the benefit of classes and manufacturing capitalists, let them remember that largest of all classes, the laboring poor. When the poor constituent of such Representatives rises in the morning and looks through the window that admits the light of heaven into his cabin, let him recollect that light is still taxed as heavily as ever by his Representative when he had \$24,000,000 of taxes to remit. When he puts on his coarse cotton shirt, and draws about him the woolen coat that is to shield him from the blasts of a northwestern winter, let him bear in mind that his Representative had \$24,000,000 of taxes to release, but not one dime would he abate from the tribute upon these necessities of life. When he goes forth to his daily work, whether he turns the sod of the prairie with his plow, or in the forge the anvil rings with his sturdy blows, let him again remember that the tools of *his* industry, the plow which he guides, and the hammer which he wields, still pay the same heavy taxes, while his Representative had these \$24,000,000 to repeal. And this is the tariff which the gentleman seriously proposes for our acceptance. Sir, if such be the creed of the party of which the gentleman is a distinguished leader, I take it that they cannot long maintain their hold upon the agricultural Northwest.

"MR. CAMPBELL, of Ohio: For the benefit of the Republican party, let me say that I am not recognized, I believe, as one of its leaders.

"MR. GARNETT: Well, sir, I always thought I saw a bright spot about that gentleman, and I am glad to hear that my sagacity is justified. Since that party does not recognize him, he stands by himself; and let me warn him to get, as quick as he can, out of the uncomfortable position in which he has placed himself, both in regard to his party relations and his tariff scheme [Laughter]. The doors of the Democratic fold are still open to him; but he must first wash himself seven times in the waters of Jordan. [Much laughter.]"

FROM SPEECH ON ADMISSION OF KANSAS, MARCH 22, 1858.

He says:

"I beg you, Mr. Chairman, to look back at its history. In 1820 we were excluded from more than nine-tenths of our common territory; slavery and slave States were forever prohibited in nine hundred and sixty-five thousand square miles of the Louisiana territory, while only one hundred and ten thousand miles were left open to Southern immigration and the possible extension of Southern institutions. For the sake of Union we submitted to this unjust decree. In 1845 Texas, a sovereign State which had formed and maintained her institutions outside of the Union, came in by annexation. And here let me warn my Southern friends that, if our Federal boundaries are to be further enlarged, it is far safer to annex slave States ready formed to our hand, than to acquire territories to be struggled and disputed for.

"A few years after we acquired a vast region on the Pacific—some four hundred and sixty-four thousand square miles. But were we of the South allowed to enter on its possession as equals? Gentlemen on the other side tell me, yes; the Massachusetts man could no more carry a slave there than the Virginian. Sir, when the man of the North went there, he took with him all his property, all his institutions, his whole system of society; he was free to give honor and power to his native land by establishing another New England, kindred and sympathizing republics, on the Pacific shore, but the Southerner had no such privileges. He must qualify himself first by selling his property, by severing the kindly ties and life-long affections that bind master and slave together, and by abandoning the institutions under whose shelter he was born, and amid which he was proud to live and hoped to die. Here was a vast and almost uninhabited region; its secular silence was unbroken, save by the monotonous roar of the Pacific waves and the sighing of the wind among the gigantic trees, which seemed relics of the elder world—fit shelter for the Titanic races of an earlier creation.

"At last the man of fate, the Anglo-Norman, came, the Aladdin of a more wondrous story than ever Arabian dreamed. The forests fell; light broke through their primeval shades. The wilderness blossomed. Streams, lately dark and turbid, rolled bright over golden sands, and mountains, but yesterday sombre and barren, now gleamed and glowed with the shining metal that shot and sparkled through every vein.

"But when the Virginian, or the man of the South, came to the portals of this mighty region, he was denied admission. He found the gates spread wide. He saw all the tribes of the earth—the Celt and the Teuton—the coppervisaged Chinese and the swarthy Hindoo—swift to share the spoils. He saw, day and night, the restless stream of Northern emigrants pouring through the gates; the men of New England and New York, bearing with them their property and their laws, their households and their household gods, their Lares and Penates. All, all were admitted, he only excluded! In vain did he recall that his valor had helped to unbar those portals; in vain did he tell that one Virginian had driven back the foe in Northern Mexico, while another made a march more wonderful than Cortez, from Vera Cruz to the palace of the Aztecs; in vain did he recount how the Mississippi rifles stemmed the tide of battle at Buena Vista, and the Palmettos reaped the harvest of death and of glory amid the fires of Churubusco; in vain did he point to the honorable scars upon his body, won in many a tented field—still, still, he was forbidden to pass, unless he would first despoil himself of his property, abdicate his duties as a master, desert his household, and forswear his nationality. He might then, indeed, degraded, enter; but he must never sing the songs of his own country, or transplant its laws into that strange land. And this, we are told, is equality!"

One of his concluding paragraphs follows:

"Sir, I speak for myself and the people whom I especially represent on this floor, and I think I can speak with equal confidence for the whole South, when I say that while we love our mother State above all things—first, last, and for-

ever—yet we are sincerely attached to the Union of all the States; that we love every star which glitters on the azure field of its banner; we prize the common glories that consecrate that flag, we wonder at the beneficence of a kind Providence, which has made a vast granary in the Northwest, which has lavished water-power and mechanical advantages and ingenuity in the Northeast, which has stored up Nature's golden treasury in the California hills, and has endowed the agriculture-loving South with the staples of man and the sceptre of his commerce; we are grateful to the wisdom that has united these different sections into one grand alliance, which secures a perfect free trade in the exchange of our varied productions, and the supply of our mutual wants; and we admire the universal peace which the Union has spread over a mighty continent. I say we value all these things, and, therefore, that we stand here this day, as in days past, to do battle for the only means of preserving them to you and to us—to defend the Constitution of our country. It is because we value them that we will ask nothing but what is right, and submit to nothing that is wrong. And what is right is State equality in the enjoyment of our territories, and opportunity peacefully to extend our several institutions."

FROM SPEECH ON THE STATE OF THE UNION, JAN. 16, 1861.

The first of these speeches is a thoughtful review of the anti-slavery agitation, and a consequent discussion of the course of the Southern States. He says:

"Mr. Calhoun, as long ago as 1833, predicted that this anti-slavery feeling would dissolve all parties formed on other issues, and were it possible to restore the old Whig and Democratic parties, the history of the last twenty years would be repeated more quickly. This consequence necessarily results from the organization of political society at the North. In populous communities, where all are of the same race, and universal suffrage and apportionment of representation on mere numbers prevail, the Democracy necessarily becomes a government, or rather a despotism, of the numerical majority. There

are many who have to labor too severely for their daily subsistence to devote much attention to political affairs, or to acquire that training which is necessary to freemen for an intelligent judgment of the issues of the day. Many votes are controlled in great part by patronage and money, directly or indirectly used. Where parties are nicely balanced, that will be successful which commands the largest influences of this corrupting kind. Hence party contests are chiefly for the spoils; and there is a constant tendency to increase the number of offices, the amount of expenditures, and contracts, and jobs—in one word, to swell the spoils. In this state of things, when a party appears like the original anti-slavery party, animated by fanatical zeal for a single idea, each of the great divisions of the spoils parties of necessity begins to bid for its vote, and, instead of resisting, to yield to its errors. Thus its principles are gradually diffused through the masses, until at last, adopted openly by one of the regular parties, they conduct it to victory, and gain for it the coveted spoils."

Mr. Garnett goes on to argue that "it is in vain, therefore, to expect safety from a change of parties at the North." He contends that "The present Constitution, as our fathers made it, was all-sufficient, while it protected kindred and friendly States, and would be so still, were all disposed to fulfill its obligations with a good faith, inspired by mutual good-will and respect. There is danger that new declaratory clauses or promises would be regarded no more than the old." After glancing at the improbability of securing any proper amendments to the Constitution, he continues: "Meantime Virginia, my own State, has called a Convention of her people in their sovereign capacity for the 13th of February, which will decide her future course. She has been, she still is, sincerely attached to the Union; she would gladly have preserved it; she would willingly reconstruct it. Not long since she would have accepted, and advised her Southern sister States to accept, a most moderate basis of settlement. But events daily strengthen the feeling for secession. Your defiant speeches, and still more insulting indifference, your threats of military coercion, inflame her

people; your rejection of all compromises induces the belief that you are determined to rule, if need be, by the sword; and as this belief grows into conviction, so rises Virginia's estimate of the conditions which would make this a safe Union for the South. And let no man doubt where she would be in the final disruption. She will join no border State Confederacy, with two frontiers to defend instead of one, cut off from the natural outlet for her emigration in the South, and with all the territorial and slavery controversies in the new Union, which drove her out of the old."

Mr. Garnett continued to argue that Virginia could not hesitate as to which Confederacy she should join. "She will never abandon her principles, or those Southern States which, sprung from her loins and formed in her similitude, have multiplied her honors, and endowed the Old Dominion with a youth ever new."

He asserted further that, if peace could be preserved, a reconstruction would be possible and desirable. The Union could not be safe or happy except as a *Union of equal sections*. He looked to a Northern and a Southern Confederacy. "Let not theirs be a contention with blood-stained arms, but a generous rivalry in the arts of peace"; this he thought both "possible and desirable." This speech shows the desire of the Southern people for peaceable secession. It shows, too, that secession was the act of the *people* of the Southern States, and not of a few leaders, as is sometimes erroneously asserted.

FROM AN ADDRESS TO THE VOTERS OF THE FIRST CONGRESSIONAL DISTRICT OF VIRGINIA, 1863.

In the fall of 1863 Mr. Garnett issued an address

"To the Voters of the First Congressional District:

"The session of Congress has been protracted to so late a day that I shall not be able to visit you at your several courts, as is usual before an election. I regret this the less because I am sure that your feelings, as well as my own, would disapprove an electioneering canvass amid the perils and anxie-

ties of this momentous war. I feel also that, as I am well known to you all, and there is happily no difference of political opinion amongst us, I may well leave you to decide whether I can any longer be useful to you or our country in my present position. For I assure you, fellow-citizens, that in asking a re-election, I am influenced by no motive of personal advantage or ambition.

“Early in the war, when the whole District was in our possession and able to vote, I was elected by its almost unanimous voice, and I have devoted myself ever since to a zealous and faithful discharge of the duties then imposed on me, to the serious neglect of my private interests. For I feel, during this struggle for all that makes life dear to us, my time and my talents, such as they are, belong not to myself, but to the sacred cause we defend. The office of Representative in Congress is one of neither pleasure nor profit; its only value to me is the opportunity it affords of serving the country in that way for which my previous experience and training best fit me. Placed on this post of duty by your voice, I have not felt free to abandon it at my own option, until relieved by your command to give way for another whom you may prefer. I have, therefore, considered it my duty to announce myself a candidate for re-election; but I do not seek your votes on any grounds of mere personal preference, or advantage to myself. On the contrary, these are no times to reward any man, or to indulge personal preferences, but it is the solemn duty of every true lover of his country to vote for that man whose abilities and experience will be most useful in Congress, whosoever he may be. This is the question you are called on to decide at this election, and for one, I shall cheerfully acquiesce in your decision.

“Fortunately the political divisions of former times no longer exist. We are all united with the single purpose of a vigorous prosecution of the war, until God shall bless the firmness and valour of our people with independence and honorable peace. In the presence of the vital issues of this war, how distant and how trivial does the party strife of other days appear!

"You will bear me witness that, though firm in my own opinions, I never was personally offensive to those who differed with me, and I always maintained that all parties were equally governed by pure and patriotic motives. The severe tests of war and invasion have gloriously proved this truth; men of all parties hurried to defend the imperilled country; none have been laggard—all alike are ready to sacrifice life and property for the cause.

"I trust that even when peace and prosperity give rise to new parties, we may still remember the lessons of charity, of concord, and of harmony thus emphatically taught us.

"In my service in this Congress, I have had to deal with questions of unusual difficulty. We found ourselves almost without mechanical or financial resources to meet a war of unparalleled magnitude and ferocity; we had to provide—nay, to create an army, and arms, munitions of war, an organization, and money. This time last year, your army had not 100,000 effective men; it was deficient in organization, and on the eve of dissolution. Badly clad, poorly armed, with a scant supply even of powder and ammunition, they were obliged to retreat in every quarter.

"Our credit was so low that no resource was open but an indefinite issue of Treasury notes, the evil consequences of which it was easy to foresee, but impossible to avoid. Now you have an army of half a million of splendid soldiers, well organized and disciplined, well armed and clothed, amply provided with powder and ammunition, and ready to attack a demoralized enemy on all sides. Your credit is established by a loan, authorized at this session of Congress in the money markets of Europe, where your bonds sell above par, and there is reason to hope that recent measures of legislation will arrest the depreciation of the currency.

"During this eventful period, I have supported every measure which in my opinion would increase the efficiency of the army, add to the comfort of the soldiers, protect our

citizens, sustain our finances, reform the currency—in short, every constitutional measure which would contribute to the defence of the country, the defeat of the enemy, and the achievement of independence and peace.

“A time of war and invasion devolves unusual responsibilities and powers on the Executive, and it is our duty to sustain it with generous confidence. All the world has admired the patriotism and ability which has distinguished the Administration, and while exercising an entire independence of action, I have been happy in giving to it a liberal support.

“I have heard of no complaint against my course as your Representative; I am confident it has your approval, and even the approval of my opponents. For I am told that the only charges against me are that I, or my kinsmen, have served long enough. I claim nothing on either account, but I do claim that my past services shall not count against me, and that I shall not be proscribed on account of my family, or the service that any of them may have rendered the country in times past.

“The next Congress will have momentous questions to settle. We may confidently hope that before its termination the terms of peace will be made, and our peace establishment organized and settled on a broad and firm foundation. Virginia will be deeply interested in its legislation; her boundaries may be in question; her territory has been ravaged by war and by the contending armies, and her people will have large claims for indemnity; she will need the highest wisdom, the best talents, and the largest experience she can summon to her councils, and it is with sincere diffidence that I ask an election at such a time. You are fairer judges of my capacity than I can be; all I can certainly promise is entire devotion to your cause, which is also mine.

M. R. H. GARNETT.”

FROM LETTER TO THE WRITER BY HON. T. R. B. WRIGHT.

The following tribute from the Hon. T. R. B. Wright, Judge of the Twelfth Judicial Circuit of Virginia, who knew Mr. Garnett well, is appended:

“TAPPAHANNOCK, VA.,
January 27, 1909.

“The first time I remember ever seeing Hon. M. R. H. Garnett was while a school boy at Fleetwood Academy, under Mr. Oliver White, a fine scholar and great teacher.

“Mr. Junius Roane, of King and Queen County, was the Whig candidate for the House of Delegates, and Hon. M. R. H. Garnett was the Democratic candidate. The District was composed of King and Queen and Essex Counties. These two candidates met in joint debate at Old Clark’s precinct, King and Queen County. Partizan and red-hot politics ran high. Mr. White, a great Democrat, gave us holiday that day to attend the discussion, and the whole Academy went. I think Essex was called a Whig county, and King and Queen a Democratic Gibraltar. Hon. M. R. H. Garnett, of Essex, was nominated by the Democrats, with all the *éclat* of great scholarship and political philosophy, wisdom and acumen. He was heralded as a little giant in debate. Junius Roane had fine gifts, dashing and very aggressive. He was put up by the Whigs to meet and demolish as a Whig champion his opponent. Of course I was too young to judge of the merits of the discussion. The applause was deafening. The consensus of opinion was, and the aftermath seemed to be, that Roane had received such a hammering from Garnett that in the final analysis it would prove a Waterloo to Roane. The gifts and attainments of these two young gladiators were of the first quality, and the thrusts at each other were quite brilliant. What Garnett lacked in logic, he made up in voice and volume, yet I thought in all these Garnett was the superior.

At any rate Garnett carried his District in the fall election. My father was a supporter of Garnett and it may be I was a little prejudiced.

"I remember that I also saw him during the Gubernatorial contest between Wise and Flournoy. Henry A. Wise spoke at this place in the Court House. An immense throng greeted Mr. Wise, and there was hardly standing room. M. R. H. Garnett introduced Wise to the Essex people. His strong, resonant, clear voice rang to the uttermost parts of the crowd with a searching timbre. It was thrilling. His manner was graceful and easy, and his well-chiseled face and charming personality were simply superb. He appeared every inch a man and a statesman. The tribute paid to him by the Essex people exceeded Carlyle's 'Hero Worship.'

"It was whispered at the time that the *entente cordial* between him and Mr. Wise was not good and genuine; but Garnett inspired all with confidence, and Wise had a perfect field-day and a grand ovation.

"I never heard him in the Congressional contest with John Critcher. Mr. Garnett always told his friends that Critcher improved in every debate with him and proved himself a skilful debater. Garnett was elected to Congress.

"I heard Garnett in one debate with Prof. Saunders, of William and Mary College. Saunders was a great scholar, but no match for Garnett in debate; Garnett also beat him. During the War between the States, when Gov. Robert L. Montague beat him, I do not think they ever met in debate.

"In the Constitutional Convention of 1849-50, his debates with Gov. Floyd gave him great prestige and *éclat*.

"It is often said that Garnett was the most brilliant man Essex ever produced. Whether he had a more brilliant mind than his distinguished uncle, U. S. Senator R. M. T. Hunter, I am unable to say. I have heard Mr. Hunter, and I regard him in physique, voice, delivery and matter one of the greatest orators and statesmen America has produced. I never compare the two. Both were gifted, brilliant, and great orators, debaters and statesmen.

"Their portraits—faces strong, striking and intellectual—embellish the walls of our court-room here and are the pride of our people—the Castor and Pollux of our gallery—the twin stars that shine in the brilliant galaxy.

"I have it from the highest authority that Mr. Calhoun remarked once to Dr. A. Y. P. Garnett, of Washington, D. C., that M. R. H. Garnett was the best-informed man he had ever conversed with; that in his last speech in the Senate Garnett was the man that he got his points from; that he was a walking encyclopedia, and Mr. Gales, former editor of the *National Intelligencer*, stated in his paper that Mr. Calhoun informed him that Garnett was the best-posted man he *ever met*.

"Mr. Clay once visited Essex—I do not know whether he was a visitor at Font Hill (the Hunter residence) or Elmwood (the Garnett residence). While attending church at old Vawter's he was heard to pay a grand tribute to Mr. Garnett. This is a tradition, but easily authenticated, I believe, from the source I heard it. If you will read the literary address of Mr. Garnett before the Society of Alumni of the University of Virginia in the Rotunda 29 June [July 4], 1850, you will see readily the breadth of his mind and the depth of his scholarship.

"He was intensely Southern, and Virginia and the South were a religion on his lips. I take a short extract from his peroration:

"When Pericles had placed before the Athenians all the reasons they had to love and value their country, and shown to what pitch of greatness she might be raised, if they would act worthily of her, and of themselves, he thought that he could sum up all—the fame of the past, the glory of the future, the duties of the present—in one word, by saying that Athens was the School of Greece.

"Let us, I beseech you, gentlemen, apply that one word to ourselves. Here, in these walls, may Virginia continue to educate the Southern youth; here may she bind their affections to the land of their ancestors, and hence send them out as missionaries of her principles! May her genius build up a new

Parthenon of letters on this Acropolis! Long, long may the old Mother Commonwealth hold high festival on this anniversary of her independence; long may she assemble her daughters at these, her yearly Panathenaea; long may she be the leader, the model, and *the School of the South*—of that South, which, by her noble people, her wise institutions, her future glorious literature, is destined some day to be the *School of the World!* ”

“T. R. B. WRIGHT,

“Judge Twelfth Judicial Circuit of Virginia.”

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